



# **Improving Teacher Quality State Grants**

## **Title II, Part A Non-Regulatory Draft Guidance**



**December 19, 2002**

**DRAFT GUIDANCE**



## **Title II**

### **Preparing, Training and Recruiting High-Quality Teachers and Principals**

#### **Overview of Title II**

The No Child Left Behind Act of 2001 (NCLB Act), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), places a major emphasis upon teacher quality as a factor in improving student achievement. The new Title II programs focus on preparing, training, and recruiting high-quality teachers and principals and requires States to develop plans with annual measurable objectives that will ensure that all teachers teaching in core academic subjects are highly qualified by the end of the 2005-2006 school year.

Reaching this goal will require reform of traditional teacher training, which is usually conducted in colleges of education, as well as the innovative expansion of alternative routes to teacher licensure. It will also require more effective in-service training and professional development for teachers currently in the classroom.

Title II of the ESEA makes funds available to States and local communities under a variety of flexible programs that will assist them in developing and supporting a high-quality teaching force and thereby improving student academic achievement.

This guidance addresses only the program authorized under Title II, Part A, which we refer to as *Improving Teacher Quality State Grants*. The remainder of the Title II programs are listed in Appendix F. Other documents issued by the Department will address the remainder of the Title II programs.

For your convenience, at the end of many sections of the guidance there are references to the appropriate section of the law. (For example, [Section 9101].) Should you be interested in accessing this information, the text of the entire bill is available online at:  
<http://www.ed.gov/legislation/ESEA02/>.



## **Title II, Part A**

### **Improving Teacher Quality State Grants**

#### **Purpose of the Guidance**

The No Child Left Behind Act of 2001 (NCLB) amends the Elementary and Secondary Education Act of 1965 (ESEA) by making significant changes in the major Federal programs that support schools' efforts to educate the Nation's students. NCLB is based on principles of increased flexibility and local control, stronger accountability for results, expanded options for parents, and an emphasis on effective teaching methods based on proven, scientifically based professional development strategies that have been shown to increase student academic achievement.

*Improving Teacher Quality State Grants* (authorized in ESEA: Title II, Part A), which this Guidance addresses, is a State formula grant program. Under this program, funds are made available to State educational agencies (SEAs), local educational agencies (LEAs), and State agencies for higher education (SAHEs) to support and help shape State and local activities that aim to improve teacher quality and increase the number of highly qualified teachers and principals. The program focuses on using practices grounded in scientifically based research to prepare, train, and recruit high-quality teachers. The new program also gives States and districts flexibility to select the strategies that best meet their particular needs. The goal is to improve teaching so as to raise student achievement in the academic subjects.

This document is intended to provide assistance to State and local program administrators as they implement the *Improving Teacher Quality State Grants* program in their State or district. It will be updated as new questions are presented, if there is a change in the program statute that requires modification, or when we determine that more information would be helpful. Thus, the Guidance should be viewed as a living document that will be modified as needed. The Department welcomes suggestions from those who use the Guidance.

This Guidance does not impose any requirements beyond those that the law specifies. Where possible, it encourages varying approaches and focuses on what can be done rather than on what cannot be done. Any requirements referred to in this guidance are taken directly from the statute. U.S. Department of Education officials, including the Inspector General, will consider State and local recipients that follow requirements expressed here to be in compliance with the applicable Federal statutes and regulations.

## **Title II, Part A**

### **Improving Teacher Quality State Grants**

#### **Changes since June 6, 2002**

The following chart indicates those questions that have been added since the June 6 version of this document was released. One question in the June 6 document (C-3) was changed to conform with the final Department regulation: *Title I - Improving the Academic Achievement of the Disadvantaged: Final Rule December 2, 2002*.

<b>Section</b>	<b>New questions</b>
A	A-9
B	B-8 and following
C	C-3 C-11 and following
D	D-5 and following
E	E-8 and following
F	F-9 and following
G	No change
H	No change
I	I-9 and following
J	J-9 and following
K	K-12 and following
L	L-2
M	M-5 and following
N	N-7 and following
O	O-9
P	No change
Q	Q-9
R	R-6 and following
S	No change

## Title II, Part A: Guidance Improving Teacher Quality State Grants

### I. INTRODUCTION

#### A. GENERAL INFORMATION .....1

- A-1. What is the purpose of the new Title II, Part A, *Improving Teacher Quality State Grants* program?
- A-2. The Eisenhower Professional Development program also promoted teacher quality. What are the principal differences between the new *Improving Teacher Quality State Grants* and the Eisenhower program?
- A-3. What is the scope of activities that SEAs and LEAs may provide with the *Improving Teacher Quality State Grants* program funds?
- A-4. May *Improving Teacher Quality State Grants* funds supplant State and local funds that SEAs and LEAs use for authorized *Improving Teacher Quality State Grants* activities?
- A-5. May Title II, Part A funds be used for State-mandated activities?
- A-6. Are there other requirements that governed the use of funds under the Eisenhower program that no longer apply?
- A-7. Aside from the *Improving Teacher Quality State Grants* program, are there other Federal programs that permit funds to be used to improve teacher quality?
- A-8. Where in this document is there a list of the acronyms and abbreviations, and a list of definitions?
- A-9. Aside from the *Improving Teacher Quality State Grants* program, are there other programs in No Child Left Behind that provide funds which can be used to improve teacher quality?

#### B. COMPONENTS OF EFFECTIVE TEACHER PROFESSIONAL DEVELOPMENT PROGRAMS.....5

- B-1. Why is teacher quality now such a major Federal focus?
- B-2. What is effective professional development?
- B-3. What is scientifically based research on teacher quality?
- B-4. What evidence is critical in evaluating scientifically based research?
- B-5. What sources are available for more information about scientifically based teacher quality research?
- B-6. Is the SEA responsible for ensuring that *Improving Teacher Quality State Grants* program funds are used only to support activities that are based on scientifically based research – whether implemented at the school, LEA, or State level?
- B-7. What strategies might States use to help LEAs adopt and implement more effective teacher professional development activities?

- B-8. At various points the Title II, Part A statute refers to “high-quality professional development” (*e.g.*, the content of the State plan for having all teachers highly qualified, and professional development that a SAHE may fund [*Sections 1119(a)(2) and 2134(a)(2)*]). What does this mean?
- B-9. Must each SEA-, LEA-, or SAHE-sponsored professional development activity incorporate all the items identified in the definition of professional development in Section 9101(34)?
- B-10. Are one-day and short-term workshops and conferences allowable expenses for Title II, Part A funds?

## C. ACCOUNTABILITY .....11

- C-1. Who is a “highly qualified” teacher?
- C-2. The definition of a highly qualified teacher includes the requirement that the teacher has obtained “full State certification.” What is meant by “full State certification?”
- C-3. When can a teacher in an alternative route to certification/licensure program be considered “highly qualified?”
- C-4. What is the timeline for implementation of the new accountability requirements for highly qualified teachers?
- C-5. What kind of annual measurable objectives must the SEA include in the plan developed under Title I, Section 1119 to ensure that all teachers teaching core academic subjects are highly qualified?
- C-6. What is meant by “high quality professional development?”
- C-7. Which academic subjects are considered core academic subjects?
- C-7a. The statute requires that teachers who teach in the core academic subjects meet the highly qualified requirements. The list of core academic subjects includes the arts. What does the statute mean by “the arts”?
- C-8. What happens if an LEA has failed to make progress toward meeting the State’s annual measurable objectives for increasing the number of highly qualified teachers it employs?
- C-9. What happens if, after the third year of the plan the SEA develops under Title I, Section 1119 for increasing the percentage of highly qualified teachers, an LEA still has failed to make progress toward meeting its objectives and failed to make AYP?
- C-10. What other steps must an SEA take with regard to an LEA that has failed to meet its performance goals and make AYP for three consecutive years?
- C-11. May a secondary school teacher who has demonstrated subject-matter competence in a core academic subject and received full State certification in that subject area be considered “highly qualified” when holding an emergency or temporary permit to teach another subject outside of his or her area of certification?
- C-12. If either the State Commissioner of Education or the SEA has authority to waive certification requirements on an emergency, temporary, or provisional basis, can any teachers receiving such waivers be considered highly qualified?



- C-13. May a new teacher who holds a B.A. degree and who teaches in a supervised and mentored internship, but who has not passed the State subject matter exam, be considered highly qualified?
- C-14. May a teacher who does not yet hold a B.A. degree or who has not yet passed the State subject matter exam (or otherwise demonstrated competence to teach each subject he or she would teach) be considered highly qualified if teaching in a supervised and mentored internship?
- C-15. May a teacher who holds a 4-year degree and has passed the State subject matter exam, but who has not yet attained full certification, be considered highly qualified if teaching in a supervised and mentored internship?
- C-16. Are charter school teachers who are new to the profession required to have college degrees?
- C-17. May teachers who are in alternative route programs be considered highly qualified before they demonstrate competence in each core academic subject that they are or will be teaching?
- C-18. May a middle school teacher who has passed a State generalist exam in math, science, English and social studies be considered competent – on the basis of passing that test – to teach middle school courses and, therefore, be a highly qualified teacher?
- C-19. May a middle school teacher be considered “highly qualified” if the teacher is licensed or certified by the State, has a B.A. degree, and holds a minor in the academic subject(s) he or she teaches?
- C-20. In some cases, State rules require each LEA to evaluate a teacher’s competence in a number of key areas, but do so against its own (LEA) benchmarks for what constitutes adequate quality in these areas. Does this approach meet the requirements for an “objective uniform State standard of evaluation” against which to assess teacher competence?
- C-21. Will the U.S. Department of Education require its review and approval of specific tests that States use for determining whether new elementary school teachers have the subject matter knowledge and teaching skills that are needed of highly qualified teachers?
- C-22. Will the U.S. Department of Education require its review and approval of specific tests that States use for determining whether new middle and secondary school teachers have a high level of competence in each of the subjects in which the teacher will teach?
- C-23. Where States choose not to use the results of a rigorous State subject-matter test as the means for determining whether a current teacher (*elementary, middle, or high school*) is “highly qualified,” will the U.S. Department of Education require its review and approval of State methods for evaluating a teacher’s knowledge and teaching ability?
- C-24. By when must each LEA receiving Title I, Part A assistance ensure that all teachers of core academic subjects hired and teaching in a program supported with Title I, Part A funds are “highly qualified?”
- C-25. Are there additional requirements for teachers hired with funds from Title III, Part A, the English Language Acquisition and Language Enhancement grants?

- C-26. Do long- and short-term substitute teachers need to meet the “highly qualified” requirements?
- C-27. If a K-8 school is designated by the State as an elementary school, do the teachers in grades 6, 7, and 8 have to meet the highly qualified requirements for elementary teachers or for middle school teachers?
- C-28. Some schools have alternative educational placements for disruptive or behaviorally challenged students, which is generally a self-contained classroom with a limited number of students. How can teachers who teach in such alternative arrangements be considered to have met the highly qualified requirements?

## II. FEDERAL AWARDS TO STATES

### D. GENERAL ISSUES .....23

- D-1. Who is eligible to receive *Improving Teacher Quality State Grants* State allocations?
- D-2. How does the Department determine each State’s *Improving Teacher Quality State Grants* allocation?
- D-3. How much of the State’s allocation must the SEA reserve for subgrants to LEAs, and how much do the SEA and SAHE retain for State-level activities?
- D-4. How is the portion of the State’s total allocation that is available for the costs of SEA and SAHE administration and planning to be allocated between the two agencies?
- D-5. What records must an SEA maintain regarding staff whose salaries are partially paid with Title II, Part A program funds?
- D-6. What kinds of expenditures are covered under SEA administrative costs?
- D-7. May an SEA use Title II, Part A funds reserved for administration to pay the costs of a contract with a public or private agency for goods and services the SEA needs to help it administer the program?
- D-8. What fiscal requirements govern the SEA initiation of cash drawdowns and cash advances to LEAs?
- D-9. Does the Title II, Part A statute anticipate that all program funds, whether spent by LEAs, IHEs, or State agencies, will support a common strategy for improving teacher quality and thereby increasing student achievement?
- D-10. What is the period of fund availability for all *Improving Teacher Quality State Grants* funds that an SEA, SAHE, or LEA receives?
- D-11. What regulatory provisions govern the administration of subgrants by SEAs and LEAs?
- D-12. Must an SEA and SAHE monitor all subgrant activities?
- D-13. How often should an SEA and SAHE monitor a subgrantee project on site?
- D-14. In what ways may an SEA and SAHE monitor its subgrantees?

### E. APPLICATION/PLAN REQUIREMENTS .....28

- E-1. How does the SEA apply for funds?
- E-2. What is a consolidated State application?

- E-3. What is a program-specific State application?
- E-4. Are either the amount of funds available to an LEA or State agency, or the flexibility the law offers to use those funds, in any way affected by a State's decision to seek funding on the basis of a consolidated application or a program-specific application?
- E-5. What process does a State use for developing the content of its program-specific application or consolidated application?
- E-6. What issues must a State address in its State application?
- E-7. What assurances must be included in the State *Improving Teacher Quality State Grants* application?
- E-8. What must the SEA include in the plan developed under Title I, Section 1111 to ensure that all teachers teaching core academic subjects are highly qualified by the end of the 2005-2006 school year?
- E-9. Must each LEA adopt the SEA's annual measurable objectives for ensuring that all teachers are highly qualified by the end of the 2005-2006 school year?
- E-10. Are there any circumstances under which an SEA must update its approved ESEA consolidated application?

## **F. STATE USE OF FUNDS.....31**

- F-1. How may an SEA use the 2.5 percent of the State's allocation that is reserved for SEA activities?
- F-2. What programs funded with Title II of the Higher Education Act (HEA) should be coordinated with *Improving Teacher Quality State Grants* programs?
- F-3. How can SEAs that participate in HEA Title II programs coordinate their activities with the *Improving Teacher Quality State Grants* program?
- F-4. In planning its use of funds reserved for State activities, must SEAs establish or adhere to any particular priorities?
- F-5. Must activities that the SEA supports with funds reserved for State use be based on a review of scientifically based research?
- F-6. Does the law contain any restrictions on the amount of *Improving Teacher Quality State Grants* funding that an SEA may spend on either professional development or recruitment and hiring of teachers?
- F-7. May an SEA use program funds to provide professional development activities in the area of bilingual education?
- F-8. Does the ESEA require SEAs to use funds reserved for State activities only to supplement, and not supplant, non-Federal funds that otherwise would be used for activities that the *Improving Teacher Quality State Grants* program authorizes?
- F-9. Does Title II, Part A in any way restrict the amount that an SEA must spend on professional development and/or recruiting and hiring teachers?
- F-10. SEAs may use funds, among other ways, to develop or assist LEAs in developing merit-based performance systems and strategies that provide differential and bonus pay for teachers in high-need academic subjects such as reading, mathematics, and science and teachers in *high-poverty schools and districts* [Section 2113(c)(12)]. What is considered "high-poverty"?
- F-11. If some funds reserved for distribution to LEAs become available for reallocation (perhaps because some LEAs either do not apply for them or informed the SEA

that they do not need them), must the SEA distribute these available funds to LEAs in the State?

## **G. FLEXIBILITY PROVISIONS .....36**

- G-1. How do the flexibility provisions under the reauthorized ESEA affect the *Improving Teacher Quality State Grants* program?

## **H. PROGRAM EVALUATION AND REPORTING REQUIREMENTS .....36**

- H-1. In addition to the funding application (consolidated or program-specific), what other information must an SEA receiving *Improving Teacher Quality State Grants* funds provide to the Department?

# **III. STATE AWARDS TO LOCAL EDUCATIONAL AGENCIES (LEAS)**

## **I. GENERAL ISSUES .....37**

- I-1. What percentage of the State's *Improving Teacher Quality State Grants* funds does an SEA use to make subgrants to LEAs?
- I-2. How are funds distributed to LEAs?
- I-3. What amount of program funds may an LEA spend for administrative costs?
- I-4. May *Improving Teacher Quality State Grants* funds supplant State and local funds that LEAs use for authorized Title II, Part A LEA activities?
- I-5. Can charter schools apply for *Improving Teacher Quality State Grants* funds?
- I-6. Must LEAs maintain the level of non-federal fiscal effort in order to receive a full allocation of Title II, Part A funds?
- I-7. How is the maintenance of effort determined?
- I-8. What happens if the LEA fails to meet the requirements for maintenance of effort?
- I-9. Should an SEA use average daily attendance, average daily membership, or some other method for determining an LEA's program allocation that is attributable to student enrollment? [Section 2121(a)(3)(A)]
- I-10. Are LEAs required to inform parents about the quality of a school's teachers?
- I-11. Is a Title I school within an LEA required to provide parents with any additional information about the school's teachers?
- I-12. Are all LEAs, like the SEA, required to develop a plan to have all teachers highly qualified by 2005-2006, or is this requirement limited to LEAs that receive Title I funds?

## **J. APPLICATION/PLAN REQUIREMENTS .....40**

- J-1. How does an LEA apply for funds from the SEA?
- J-2. What must be included in a program-specific allocation?
- J-3. How can an LEA receive Title II funds using a consolidated local plan/application rather than a program-specific application?

- J-4. What is the purpose of the required LEA needs assessment?
- J-5. What are the needs assessment intended to accomplish?
- J-6. Who must be involved in the needs assessment process?
- J-7. What key issues must the LEA address in its *Improving Teacher Quality State Grants* plan?
- J-8. What assurances must be included in the LEA *Improving Teacher Quality State Grants* plan?
- J-9. What data should the LEA use when conducting a needs assessment?
- J-10. If a need is mentioned in the LEA needs assessment, must it be addressed in the district plan?
- J-11. Must staff at individual schools be involved in developing an LEA's needs assessment?
- J-12. After conducting its needs assessment, are there any priorities that the LEA must address as it plans its use of Title II, Part A funds?
- J-13. How is a needs assessment different from a program evaluation?
- J-14. Should an LEA needs assessment examine professional development and hiring needs in the context of a strategy for eliminating the achievement gap that separates low-income and minority students from other students?
- J-15. Does the size of the district, and thus the amount of the LEA allocation from *Improving Teacher Quality State Grants*, determine the amount of detail that should be included in the needs assessment?
- J-16. May an SEA reject an LEA's subgrant application on grounds that the LEA's proposed uses of Title II, Part A funds do not conform to State-level priorities?
- J-17. How might an SEA use the application process to ensure that LEAs spend their program funds as wisely as possible to help improve the quality of their teaching force?
- J-18. What other strategies might States use to help LEAs adopt and implement more effective teacher training activities?
- J-19. How can the SEA ensure that those activities an LEA proposes to implement with Title II, Part A funds are, in fact, consistent with the required local needs assessment?
- J-20. What actions can an SEA take if an LEA's application for Title II, Part A funds does not propose activities consistent with the LEA's needs assessment?

## **K. LOCAL USE OF FUNDS.....48**

- K-1. What are the authorized uses of LEA funding?
- K-2. Are LEAs required to spend a portion of their allocation on math and science activities?
- K-3. When may an LEA use Title II, Part A funds for programs to recruit and retain pupil services personnel?
- K-4. May activities that are not based on scientifically based research be supported by *Improving Teacher Quality State Grants* funds?
- K-5. May LEAs use *Improving Teacher Quality State Grants* funds to recruit and hire teachers to reduce class size?
- K-6. May an LEA use carryover funds from the former Class-Size Reduction (CSR) and Eisenhower programs under *Improving Teacher Quality State Grants*?

- K-7. What are some ways in which LEAs may use highly qualified teachers hired with *Improving Teacher Quality State Grants* funds to reduce class size?
- K-8. May LEAs use funds under *Improving Teacher Quality State Grants* to continue to pay the salaries of teachers hired under the former Class-Size Reduction program?
- K-9. May LEAs use *Improving Teacher Quality State Grants* funds to provide training to enhance the involvement of parents in their child's education?
- K-10. May funds be used to support the acquisition of advanced degrees?
- K-11. Can an LEA form a partnership to carry out its proposed activities?
- K-12. May an LEA use *Improving Teacher Quality State Grant* funds to provide training for paraprofessionals?
- K-13. Does Section 9501(b)(3)(B) require LEAs to expend a set portion of their funds on professional development activities, or does Section 9501(b)(3)(B) provide a kind of "hold-harmless" provision that applies only to services for private school teachers?
- K-14. Does the law limit the percentage of Title II, Part A funds an LEA may spend on class size reduction activities?
- K-15. Suppose that a State requires all teachers to participate in a minimum number of in-service professional development days each year. Would an LEA's use of Title II, Part A funds to pay for some of this State-mandated professional development in order to free up local funds for other discretionary district initiatives violate the statute's supplement, not supplant requirement?
- K-16. If a State agency for teacher certification requires a specific number of hours of professional development every five years for teachers to maintain their certification, may Title II, Part A funds pay for the cost of professional development activities that count toward this requirement?
- K-17. May Title II, Part A funds be used to pay the salaries of teachers who provide instruction in pull-out programs?
- K-18. May an LEA use Title II, Part A funds to pay the salary of a highly qualified replacement teacher where the regular classroom teacher is on sabbatical?
- K-19. May an LEA use *Improving Teacher Quality State Grants* funds both to (1) pay the costs of State tests required of new teachers to determine whether they have subject matter competence, and (2) to assist them in meeting State certification requirements?
- K-20. What kinds of leadership efforts might LEA officials undertake to ensure that their use of Title II, Part A funds reflects a strong local agenda that promotes significant improvements in teacher quality?
- K-21. May Title II, Part A funds be used to pay the costs of teachers' or principals' advanced degrees? If so, are there any limitations on the coursework that may be paid for with Title II, Part A funds?
- K-22. May an LEA use program funds specifically to recruit paraprofessionals and teachers from populations that reflect the diversity of the student population or from populations underrepresented in the teaching profession?
- K-23. May supplies or instructional materials used as part of professional development activities be purchased with *Improving Teacher Quality State Grants* program funds?

- K-24. Does Title II, Part A require an LEA to use a competitive process in selecting individual teachers for merit pay, pay differential, or other monetary incentives?
- K-25. Suppose an LEA chooses to use Title II, Part A funds to award a new or existing teacher or principal a lump sum incentive or to pay the costs of this individual's certification or advanced degree. What can an LEA do to ensure that, after receiving the award or free tuition, the teacher or principal fulfills a commitment to continue working in the district rather than leaving for another job?
- K-26. May an LEA use Title II, Part A funds to pay out-of-area recruitment costs and moving expenses that may be needed in order to recruit and relocate new teachers?
- K-27. The statute provides that an LEA may use Title II, Part A funds to carry out "teacher advancement initiatives that promote professional growth and emphasis on multiple career paths such as paths to becoming a career teacher, mentor teacher, or exemplary teacher" [Title II, Section 2123(a)(8)]. What does this mean, and why might this use of Title II, Part A funds be important?

#### **L. FLEXIBILITY PROVISIONS .....59**

- L-1. How do the ESEA flexibility provisions affect the *Improving Teacher Quality State Grants* program?
- L-2. Regarding the new ESEA flexibility provisions, may LEAs use 50 percent of their Title II, Part A funds for other Federal programs?

### **IV. STATE AGENCY FOR HIGHER EDUCATION (SAHE) PARTNERSHIPS**

#### **M. GENERAL ISSUES .....60**

- M-1. What is the purpose of the SAHE component of *Improving Teacher Quality State Grants*?
- M-2. How much of the State's *Improving Teacher Quality State Grants* allocation does the SAHE receive for both the competitive grants awards and for administration?
- M-3. Does the Department make separate grant awards to SAHEs?
- M-4. Will the Department make separate awards to the SEA and SAHE for administration, or include these amounts in the two agencies' awards?
- M-5. Section 9101(24) states that an "institution of higher education" is defined in Section 101(a) of Higher Education Act (HEA). What is that definition?
- M-6. If a SAHE believes that it was not adequately involved in the development of an ESEA State consolidated application, what options are available to it, should it desire to have the State's application amended?
- M-7. In the definition of a high-need LEA, one criterion is that the LEA must be one for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line. Where can the relevant poverty information be found?
- M-8. May a high-need charter school that is an LEA qualify as a high-need LEA partner for purposes of the partnership required for SAHE grants?

- M-9. May a SAHE designate in its Request for Proposals (RFP) who must act as the fiscal agent?
- M-10. May a SAHE use Title II, Part A funds reserved for partnership subgrants to support a separate evaluation of subgrantee projects?
- M-11. What kinds of records must the SEA, SAHE, LEAs, and partnerships keep under the *Improving Teacher Quality State Grants Program*?
- M-12. What reports are required of the IHEs?
- M-13. May a regional educational service agency, intermediate educational unit, or similar public agency that is established by the State to provide administrative and technical assistance and support to local school districts be considered eligible to participate in a partnership as a high-need LEA?
- M-14. May a SAHE issue an RFP soliciting partnership applications that target specific needs, focus on particular grades or subject areas, or implement other State priorities?
- M-15. Section 2132(c) (the “special rule”) states that “no single participant in an eligible partnership may use more than 50 percent of the Title II, Part A funds made available to the partnership....” In general, what does this provision mean?
- M-16. May two IHE partners (School of Education and School of Liberal Arts and Sciences) each receive 50 percent of the subgrant funds?
- M-17. If an IHE receives program funds that teachers would otherwise pay for IHE-sponsored professional development, would those funds figure in as part of the funds “used” by the IHE partner? M
- M-18. If IHE faculty are full-time employees of the IHE, but a percentage of their time and services go to an LEA, which partner is deemed to “use” Title II, Part A funds provided as payment of a portion of faculty salaries spent working for the LEA? If IHE faculty members receive “release time” to serve LEAs, are their salaries attributable to the IHE or to the LEA partner?
- M-19. If a full-time faculty member is on a 9- or 10-month contract, can a special summer faculty salary be attributed to the LEA partner, if the summer work is for the LEA?
- M-20. Are the salaries of teachers that a subgrantee’s project hires to work as mentors to other teachers attributable to the LEA? Or to the IHE, since the IHE pays their salaries?
- M-21. Some IHEs require consultants hired under a Federal grant to be treated as IHE employees, rather than as contractors. If these consultants perform work at an LEA, which partner should be assigned the costs of the consultant?
- M-22. May reimbursements made to IHE employees for the costs of traveling to LEA sites be considered to be “used” by the LEA partner?
- M-23. Are indirect costs of the partnership’s fiscal agent treated as part of the maximum allowable 50 percent of Title II, Part A funds that the partner may use?
- M-24. Are in-kind contributions counted as part of a partner’s 50 percent maximum?
- M-25. Section 2132(b) requires the SAHE to ensure either that its subgrants are “equitably distributed by geographic area within a State” or that “eligible partnerships in all geographic areas within the State are served through the subgrants.” What do these phrases mean?



- M-26. May a not-for-profit (NFP) agency be the named applicant and fiscal agent for a subgrant so long as the partnership contains the three statutorily required partners?

**N. COMPETITIVE PROCESS .....68**

- N-1. Who is eligible to receive a competitive award from the SAHE?
- N-2. How does the SAHE determine its priorities for soliciting competitive subgrant applications?
- N-3. Are there any Federal requirements that govern how SAHEs must conduct the competition?
- N-4. Aside from providing all applicants the information they need to prepare their applications, are there any other requirements regarding the statewide distribution of these subgrants?
- N-5. Is there any particular format or content that a SAHE must incorporate into its information for prospective applicants?
- N-6. Is there a maximum project period for SAHE grants?
- N-7. Does the definition of an “eligible partnership” in Section 2131 permit a community college to be part of a partnership that is eligible to receive a Title II, Part A subgrant?
- N-8. May community colleges access Title II, Part A funds to create alternative certification programs or to provide professional development for teachers?
- N-9. May a partnership propose to include as one of the three principal partners a 4-year institution that is not located in the SAHE’s state?
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## **Title II, Part A: Guidance**

### **Improving Teacher Quality State Grants**

#### **I. INTRODUCTION**

##### **A. GENERAL INFORMATION**

**A-1. What is the purpose of the new Title II, Part A *Improving Teacher Quality State Grants* program?**

The purpose of Title II, Part A, *Improving Teacher Quality State Grants*, is to increase the academic achievement of all students by helping schools and school districts improve teacher and principal quality and ensure that all teachers are highly qualified. Through the program, State educational agencies (SEAs) and local educational agencies (LEAs) receive funds on a formula basis, as does the State agency for higher education (SAHE). The SAHE provides competitive grants to partnerships comprised, at a minimum, of schools of education and arts and sciences, along with one or more high-need LEAs.

In exchange, agencies that receive funds are held accountable to the public for improvements in academic achievement. *Improving Teacher Quality State Grants* provides these agencies with the flexibility to use these funds creatively to address challenges to teacher quality, whether they concern teacher preparation and qualifications of new teachers, recruitment and hiring, induction, professional development, teacher retention, or the need for more capable principals and assistant principals to serve as effective school leaders.

**A-2. The Eisenhower Professional Development program also promoted teacher quality. What are the principal differences between the new *Improving Teacher Quality State Grants* program and the Eisenhower program?**

The new *Improving Teacher Quality State Grants* program replaces the previous requirement to focus on professional development for mathematics and science in favor of support for teacher professional development across all core academic subjects. The importance of math and science remains a high priority (see Section K-2 of this document), but many other activities are now allowed as well (see A-3 below).

For the first time, States and LEAs are required to ensure that their strategies and funded activities are grounded in scientifically based research so that students benefit from teaching practices and methods that are based on what is known to work. The new *Improving Teacher Quality State Grants* program also gives schools and LEAs expanded flexibility to address their need for qualified teachers and principals not only through professional development for existing staff, but

through efforts that include attracting qualified individuals into teaching and offering financial incentives and other structural changes to retain them.

**A-3. What is the scope of activities that SEAs and LEAs may provide with the *Improving Teacher Quality State Grants* program funds?**

The *Improving Teacher Quality State Grants* program expressly permits specific activities in a number of areas, including but not limited to:

1. **Recruitment:** SEAs and LEAs can develop or enhance activities to encourage high-quality individuals, including mid-career professionals, former military personnel, paraprofessionals, and recent college graduates, to enter the teaching profession through alternative routes to State certification [Title II, Part A, Sections 2113(c)(3), 2123(a)(1)(B)].
2. **Preparation and Professional Development:** SEAs and LEAs can carry out activities that focus on increasing the subject matter knowledge of teachers [Title II, Part A, Sections 2113(c)(1)(C), 2123(a)(3)(A)].
3. **Certification/Licensure:** SEAs can focus on reforming and streamlining licensure requirements to ensure teachers' subject matter mastery, as well as to align licensure requirements with State academic content standards [Title II, Part A, Section 2113(c)(1)].
4. **Support:** SEAs and LEAs can develop and expand activities that provide mentoring for new teachers and assist teachers in how to use assessment data to guide instructional decisions [Title II, Part A, Sections 2113(c)(2), 2123(a)(3)(A), (4)(A)].
5. **Ensuring Quality:** SEAs and LEAs can implement teacher testing to assess subject matter knowledge, and can conduct activities that assist teachers with meeting the requirements for becoming highly qualified [Title II, Part A, Sections 2113(c)(5, 15)].
6. **Retention:** SEAs and LEAs can develop and expand merit-based performance systems that provide differential pay and bonuses for teachers who teach in specific schools and subject areas [Title II, Part A, Sections 2113(c)(12, 14), 2123(a)(1), (4), (5)(D)].
7. **Accountability:** SEAs can develop systems to measure the impact of specific professional development programs on student academic achievement [Title II, Part A, Section 2113(c)(7)].

Beyond this, the new *Improving Teacher Quality State Grants* program tailors State and local planning requirements to focus on achieving results by such means as (1) requiring LEAs to target their funds on schools with the greatest need for assistance; and (2) mandating stronger measures with which to hold schools and

LEAs accountable for improved teacher quality. (These new accountability measures are discussed in detail later in this document.)

**A-4 May *Improving Teacher Quality State Grants* funds supplant State and local funds that SEAs and LEAs use for authorized *Improving Teacher Quality State Grants* activities?**

No. Funds that SEAs and LEAs receive under the Title II, Part A program must supplement and cannot supplant State and local funds that, in the absence of the program, they would use to support authorized activities. The former Eisenhower program did not include this requirement.

**A-5. May Title II, Part A funds be used for State-mandated activities?**

The ability of an SEA or LEA to use Title II, Part A funds to carry out activities mandated by a State depends upon whether non-Federal funds are already available to carry out those activities. Presumably, in the absence of Title II, Part A funds, the SEA or LEA would use State or local funds to implement any policies mandated by the State legislature, the State Board of Education, or the SEA. If that is the case, then using Title II, Part A funds for those activities would violate the non-supplanting requirement, because the SEA or LEA would be using Federal funds for activities that it would otherwise support with other funds.

However, in certain instances, an SEA or LEA may be able to overcome the presumption that supplanting will result if Title II, Part A funds are used for a State-mandated program or activity. In order to make such a case, the SEA or LEA should have available written documentation (e.g., budget information, planning documents, or other materials) demonstrating that it would not have the resources to meet State mandates if it did not have access to Title II, Part A funds. If the agency can produce that documentation, the agency will have made a sufficient case that the activities it will fund under Title II, Part A are supplemental, even though some of them are mandated by the State.

SEAs and LEAs desiring to use Title II, Part A funds for State-mandated activities should carefully identify the activities they would have supported in the absence of funding from the program. If an agency can show that it would not have met all State mandates with non-Title II, Part A funds, then it may use funds from the program to address those mandates. In no event, however, may an agency decrease State or local support for mandated activities because of the availability of Title II, Part A funds.

**A-6. Are there requirements that governed the use of funds under the Eisenhower program and that no longer apply?**

Yes. In addition to the major differences between the two programs described above, the new *Improving Teacher Quality State Grants* program makes a number of other changes that promote greater flexibility in the use of program funds to

improve teacher quality. The new *Improving Teacher Quality State Grants* program:

1. Eliminates the 33 percent local cost share requirement.
2. Eliminates the requirement that LEAs receiving an allocation of less than \$10,000 form a consortium.
3. Expands the focus on mathematics and science to include activities across all core academic subjects. However, the importance of math and science remains a high priority. In preparing their needs assessment, LEAs are strongly encouraged to look closely at their needs for recruiting, training, and retaining high quality math and science teachers.
4. Eliminates the requirement that 80 percent of an LEA's funds be spent for professional development in a manner determined, to the extent possible, by teachers and provided at school sites.

**A-7. Aside from the *Improving Teacher Quality State Grants* program, are there other Federal programs that permit funds to be used to improve teacher quality?**

Yes. A searchable database of all teacher and principal grant opportunities at the Department is available at the following web site:

<http://www.ed.gov/offices/OESE/TPR/index.html>.

**A-8. Where in this document is there a list of the acronyms and abbreviations, and a list of definitions?**

*Appendix A*, at the end of this document, contains a list of definitions. These may also be found in Title II, Part A Section 2102 and in Title IX, Section 9101 of the Elementary and Secondary Education Act, as amended by *No Child Left Behind*.

*Appendix B* contains a list of acronyms and abbreviations used in this document. The first time an acronym or an abbreviation is used in the text, it is preceded by the full term.

**A-9. Aside from the *Improving Teacher Quality State Grants* program, are there other programs in *No Child Left Behind* that provide funds which can be used to improve teacher quality?**

Yes, other key ESEA programs authorize funds that can be used to improve teacher quality. These include, but are not limited to:

- Title I, Part A, which requires that LEAs use at least 5 percent of their Title I funds for professional development activities to ensure that teachers who are not currently highly qualified meet that standard by the end of the 2005-06



school year [Section 1119(l)]. In addition, any school identified as in need of improvement for failing to make adequate yearly progress must spend 10 percent of its Title I, Part A funds on professional development, including teacher-mentoring programs [Section 1116(c)(7)(A)(iii)].

- Title I, Part B *Reading First* program, which has grantees build on scientifically based reading research to implement comprehensive instruction for children in kindergarten through third grade. From the 20 percent State set-aside funds, 65 percent may be spent in preparing teachers through professional development activities so the teachers have tools to effectively help their students learn to read [Section 1202 (d)(3)].
- Title III, Part A, which authorizes LEAs to use formula grant funds for professional development of teachers providing instruction to students needing English language acquisition and language enhancement [Section 3111(a)(2)(A)].
- Title V, Part A, which authorizes LEAs to use formula grant funds to provide professional development activities carried out in accordance with Title II, Part A, as well as to recruit, train, and hire highly qualified teachers to reduce class size [Section 5131(a)(1)].
- Title VII, Part A, the Indian, Native Hawaiian, and Alaska Native Education program, which requires a comprehensive program for meeting the needs of Indian children that, among other things, calls for professional development opportunities to ensure that teachers and other school professionals have been properly trained [Section 7114(b)(5)].
- Title II, Part B, the Mathematics and Science Partnerships program, which the Department is implementing jointly with the National Science Foundation, and which offers financial support to IHE-LEA partnerships to enhance the quality of teaching in mathematics and science [Section 2201(a)].
- Title II, Part C, the Troops-to-Teachers and Transition to Teaching programs, which support efforts to help school districts hire, train, and retain, individuals from other careers and backgrounds as teachers in high-need schools [Sections 2303 and 2313].
- Title II, Part D, the Enhancing Education Through Technology program, under which each local recipient of funds must use at least 25 percent of those funds for ongoing, sustained, and high-quality professional development on the integration of advanced technologies into curriculum and instruction and on the use of those technologies to create new learning environments [Section 2416(a)].

## **B. COMPONENTS OF EFFECTIVE TEACHER PROFESSIONAL DEVELOPMENT PROGRAMS**

### **B-1. Why is teacher quality now such a major Federal focus?**

With enactment of *No Child Left Behind*, Congress and the President have expressed their commitment to educational excellence. This is the age of high standards and accountability in education. All students deserve to have a high-

quality education, and all taxpayers deserve to know how well their investment in public education is paying off. In this new environment, it is critical to provide a highly qualified teacher in every classroom.

A presentation by Dr. Grover Whitehurst, Assistant Secretary for the Office of Educational Research and Improvement (OERI), is included in **APPENDIX C** of this document. It provides an excellent overview of the research on teacher quality that should be helpful as SEAs and LEAs plan their Title II programs.

A number of well-designed studies indicate that teacher quality has a powerful effect on student academic achievement. Students who are in the classrooms of effective teachers can achieve at a full grade level ahead of students assigned to weak teachers (Hanushek, 1992; Sanders & Horn, 1998; Sanders & Rivers, 1996).

## **B-2. What is effective professional development?**

Effective teacher professional development is more than just coursework designed to fill a State or district requirement. It is a set of activities that produce a demonstrable and measurable effect on student academic achievement. The ESEA emphasizes that effective professional development must be grounded in scientifically based research [Title IX, Section 9101(34)].

Effective professional development works best when it is part of a systemwide effort to improve and integrate teacher quality at all stages: preparation, induction, support, and ongoing development.

## **B-3. What is scientifically based research on teacher quality?**

Scientifically based teacher quality research is research that applies rigorous, systematic, and objective procedures to obtain valid knowledge relevant to improving student academic achievement. Pursuing practices grounded in scientifically based research will have a positive impact on student academic achievement and will help to strengthen the teaching profession.

In the past, there has been much debate about educational research and its relationship to improving student academic performance. Consider the following comments from one researcher:

*For the most part, the public knows but one sign of good teaching – student achievement. Any agenda of research on teaching that ignores this variable must seem a pointless intellectual exercise. In refusing to acknowledge the importance of student achievement, educational researchers... appear ...nonresponsive to key constituencies... The need for evidence linking teacher cognition to measures of student outcomes is a political necessity. While researchers argue among themselves about the epistemological ramifications of the issue, external constituencies (parents, legislators, and district school boards) probably perceive [education researchers] as demonstrating just how badly out of touch they are with the public mood (Kagan, 1990, p. 458).*

Section 9101(37) of ESEA, as amended by *No Child Left Behind*, emphasizes that scientifically based research means “research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs.” The statute then explains that this kind of research includes research that:

1. Employs systematic, empirical methods that draw on observation or experiment;
2. Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
3. Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
4. Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
5. Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings, and
6. Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review. (It should be noted that a practitioner journal or education magazine are *not* the same as a peer-reviewed academic journal.)

#### **B-4. What evidence is critical in evaluating scientifically based research?**

When reviewing research findings to determine whether they meet the criteria for scientifically based research, SEAs, LEAs, and schools should consider the extent to which the research meets the criteria listed above. Questions to consider include:

1. **Use of rigorous, systematic, and empirical methods** – Does the work have a solid theoretical or research foundation? Was it carefully designed to avoid biased findings and unwarranted claims of effectiveness? Does the research clearly delineate how the research was conducted, by whom it was conducted, and on whom it was conducted?
2. **Adequacy of data to justify the general conclusions drawn** – Was the research designed to minimize alternative explanations for observed effects? Are the observed effects consistent with the overall conclusions and claims of

effectiveness? Does the research present convincing documentation that the observed results were the result of the intervention? Does the research make clear what populations were studied (i.e., does it describe the participants' ages, as well as their demographic, cognitive, academic and behavioral characteristics) and does it describe to whom the findings can be generalized? Does the study provide a full description of the outcome measures?

3. **Reliance on methods that provide valid data across multiple measurements and observations** – Are the data based on a single-investigator, single-classroom study, or did multiple investigators in numerous locations collect similar data? What procedures were in place to minimize researcher biases? Do observed results “hold up” over time? Are the study interventions described in sufficient detail to allow for replicability? Does the research explain how instructional fidelity was ensured and assessed?
4. **Use of control groups** – Has a randomly assigned control group or some other kind of comparison group been used?
5. **Details allow for replication** – Does the study clearly explain how the treatment was designed? Is there enough detail to replicate the study?
6. **Acceptance by a peer-reviewed journal or approved by a panel of independent experts** – Has the review been rigorous and objective? Has the research been carefully reviewed by unbiased individuals who were not part of the research study? Have the findings been subjected to external scrutiny and verification?

**B-5. What sources are available for more information about scientifically based teacher quality research?**

While a great deal of scientifically based research is available on student academic achievement in some areas, such as reading, less is available in other areas such as teacher quality. This presents a challenge; however, the current climate of standards and results may be changing this lack of focus. Consider this observation:

*American education is under intense pressure to produce better results. The increasing importance of education to the economic well-being of individuals and nations will continue feeding this pressure. In the past – and still today – the profession has tended to respond to such pressures by offering untested but appealing nostrums and innovations that do not improve academic achievement. At one time or another, such practices have typified every profession, from medicine to accounting to seafaring. In each case, groups adversely affected by the poor quality of service have exerted pressure on the profession to incorporate a more scientific methodology.*

*These pressures to mature are inevitable in education as well. Its experts should hasten the process by abandoning ideology and embracing evidence. Findings from carefully controlled experimental evaluations must trump dogma. Expert judgments should be built on objective data that can be inspected by a broad audience rather than wishful thinking. Only when the*

*profession embraces scientific methods for determining efficacy and accepts accountability for results will education acquire the status – and the rewards – of a mature profession (Carnine, 2000, p. 10).*

Most of the research on teacher quality focuses on two areas: *teacher characteristics* and *classrooms practices*. A very useful analysis of scientifically based research on teacher quality is provided in **APPENDIX C**.

**B-6. Is the SEA responsible for ensuring that *Improving Teacher Quality State Grants* program funds are used only to support activities that are based on scientifically based research – whether implemented at the school, LEA, or State level?**

Yes. The State application requirement in Section 2112(b) of the ESEA requires each SEA to describe, among other things: (1) how the proposed State activities will be based upon scientifically based research; and (2) how the State will ensure LEAs receiving the *Improving Teacher Quality State Grants* program subgrants will also carry out activities that reflect scientifically based research.

**B-7. What strategies might States use to help LEAs adopt and implement more effective teacher professional development activities?**

For example, the State might: (1) develop guidance on effective strategies for improving teacher quality and provide that guidance to the LEAs; (2) adopt a formal statement of State priorities; (3) improve LEA technical assistance and monitoring; (4) sponsor conferences and other meetings that address issues related to improving teacher performance; and (5) disseminate information about successful programs and practices.

**B-8. At various points the Title II, Part A statute refers to “high-quality professional development” (e.g., the content of the State plan for having all teachers highly qualified, and professional development that a SAHE may fund [Sections 1119(a)(2) and 2134(a)(2)]). What does this mean?**

High-quality professional development is professional development that reflects the principles expressed in the definition of the terms in Section 9101(34). (*See Appendix A.*)

**B-9. Must each SEA-, LEA-, or SAHE-sponsored professional development activity incorporate all the items identified in the definition of professional development in Section 9101(34)?**

No. Section 9101(34) is not meant to be a “check-off list.” Most likely, not every element of this definition will fit each individual professional development activity. For example, element (34)(A)(x) addresses skills that are needed by teachers of limited English proficient students, but it may not be appropriate to apply this principle to other specific needs identified by the LEA, such as the need

for professional development in teaching advanced material in intermediate French.

Rather, this definition of professional development expresses a statutory set of principles that apply to ESEA-funded professional development as a whole, and that must guide how SEAs, LEAs, and SAHEs (and their sub-grantees) think about, design, and implement the forms of professional development that teachers need. In this regard, most of the principles in the definition likely will apply to any professional development in teaching subject-matter knowledge. For example, the principles that professional development “improve and increase teachers’ knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified,” and “are an integral part of broad schoolwide and districtwide educational improvement plans” [Section 9101(34)(A)(i) and (ii)] plainly make sense for any professional development that focuses on improving teachers’ ability to teach subject-matter knowledge.

Therefore, regardless of whether individual professional development activities focus on K-3 reading or math, or on specific high-school subjects, those designing and implementing Title II, Part A-funded professional development activities need to ensure that the professional development they offer adheres to principles (34)(A)(i) and (ii).

SEAs, LEAs, and SAHEs (and their subgrantees) need to apply this same kind of analysis to each of the elements in the ESEA definition.

The ESEA definition of professional development also includes specific core principles related to –

- Addressing the needs of English proficient students and students with special needs [Section 9101(34)(A)(x) and (xiii)];
- The use of technology, as appropriate [Section 9101(34)((A)(ix)]; and
- Ensuring that the teaching force is highly qualified through recruitment, hiring, and training activities [Section 9101(34)(A)(vi)].

Finally, the definition expressly permits three particular additional forms of professional development:

- Formation of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;
- Creation of programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under Part A of Title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and

- Provision of follow-up training to teachers who have participated in activities described above that is designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom

**B-10. Are one-day and short-term workshops and conferences allowable expenses for Title II, Part A funds?**

No. The definition of professional development states that such activities “are not 1-day or short-term workshops or conferences” [Section 9101(34)(A)(v)(II)].

Therefore, under the ESEA, participation at these short-term work shops and conferences is not, by itself, professional development, and so Title II, Part A funds may not pay the costs of registration and attendance at these short-term workshops or conferences as allowable “professional development.”

Title II, A funds may be used to pay the costs associated with having teachers and other LEA staff attend a one-day or short-term workshop or conference only if it is part of, and integral to, professional development activities that meet the other elements of Section 9101(34). For example, consistent with the results of its Title II, Part A needs assessment, an LEA might design a comprehensive set of intensive training opportunities that –

1. Conform to the principles in the statutory definition, and
2. Carefully use participation at a short-term workshop or conference to reinforce or lay the groundwork as part of a larger, systemic, professional development plan.

**C. ACCOUNTABILITY** [Section 2141]

**C-1. Who is a “highly qualified” teacher?**

The requirement that teachers be highly qualified applies to public elementary or secondary school teachers who teach a core academic subject. (The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Title IX, Section 9101(11)].) “Highly qualified” means that the teacher:

1. Has obtained full State certification as a teacher or passed the State teacher licensing examination and holds a license to teach in the State, and does not have certification or licensure requirements waived on an emergency, temporary, or provisional basis;
2. Holds a minimum of a bachelor’s degree; and
3. Has demonstrated subject area competence in each of the academic subjects in which the teacher teaches, in a manner determined by the State and in compliance with Section 9101(23) of ESEA.

The statutory definition includes additional elements that apply somewhat differently to new and veteran teachers, and to elementary, middle and secondary school teachers. The complete definition of “highly qualified teacher,” which is in Section 9101(23) of the ESEA, appears at the end of this document in **APPENDIX A**.

Please note that the application of the term “highly qualified” as it relates to some specific categories of teachers - such as vocational education teachers and charter school teachers – is outlined in **APPENDIX A**.

**C-2. The definition of a highly qualified teacher includes the requirement that the teacher has obtained “full State certification.” What is meant by “full State certification?”**

In the context of the definition of a highly qualified teacher, “full State certification” means that the teacher has fully met those State requirements that apply to the years of experience the teacher possesses. For example, these requirements may vary for first year teachers and veteran teachers. In addition, “full State certification” means that the teacher must not have had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

**C-3. When can a teacher in an alternate route to certification/licensure program be considered “highly qualified?”**

*[Note: The June 6 answer to this question has been modified.]* Any teacher who has obtained full State certification (whether he or she has achieved certification through traditional or alternate routes), has a 4-year college degree, and has demonstrated subject matter competence is considered to be “highly qualified” under the law. Teachers in an alternate route program may be considered to meet the certification requirements of the definition of a highly qualified teacher if they are participating in an alternate route program under which they (1) receive high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching, (2) participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers, or a teacher mentoring program, (3) assume functions as a teacher only for a specified period of time not to exceed three years, and (4) demonstrate satisfactory progress toward full certification as prescribed by the State.

The State must ensure, through its certification and licensure process, that these provisions are met.



**C-4. What is the timeline for implementation of the new accountability requirements for highly qualified teachers?**

Title I of the ESEA requires that all teachers of core academic subjects hired after the first day of the 2002–2003 school year and teaching in a program supported with Title I, Part A funds be “highly qualified” [Section 1119(a)(1)].

In addition, Title I requires each SEA receiving Title I, Part A funds to develop a plan to ensure that all teachers teaching in core academic subjects within the State are highly qualified not later than the end of the 2005-2006 school year. The SEA also must establish annual measurable objectives for each LEA. Similarly, Title I requires each LEA receiving Title I, Part A funds to develop a plan for ensuring that all teachers teaching within the area served by the school district are highly qualified no later than the end of the 2005-2006 school year [Section 1119(a)(2),(a)(3)]. Both the LEA and SEA must report annually, beginning with the 2002-2003 school year, on their progress in meeting these performance objectives.

**C-5. What kind of annual measurable objectives must the SEA include in the plan developed under Title I, Section 1119 to ensure that all teachers teaching core academic subjects are highly qualified?**

The SEA’s plan, whether submitted as a program-specific application or a consolidated application, must identify annual measurable objectives for each LEA and school in the State that, at a minimum, include: (1) an annual increase in the percentage of highly qualified teachers for each LEA and school; and (2) an annual increase in the percentage of teachers who are receiving “high-quality” professional development. The measurable objectives also may include such other measures as the SEA deems appropriate to increase teacher qualifications [Title I, Part A, Section 1119(a)(2)].

**C-6. What is meant by “high-quality professional development?”**

The term “high-quality professional development” means professional development that meets the criteria outlined in the definition of professional development in Title IX, Section 9101(34) of ESEA. (This definition is provided in *Appendix A*.)

**C-7. Which academic subjects are considered the core academic subjects?**

The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Title IX, Section 9101(11)].

**C-7a. The statute requires that teachers who teach in the core academic subjects meet the highly qualified requirements. The list of core academic subjects includes the arts. What does the statute mean by “the arts”?**

While the list of core academic subjects in the statute includes the arts [*Title IX, Part A, section 9101(11)*], it does not define the arts. Each State can determine its own definition of “the arts.”

**C-8. What happens if an LEA has failed to make progress toward meeting the State’s annual measurable objectives for increasing the number of highly qualified teachers it employs?**

Section 2141 of ESEA requires that an SEA determine if an LEA has made progress toward meeting the State’s measurable objectives for increasing teacher quality within the LEA and its schools. If the LEA fails for two consecutive years to make progress toward meeting the annual objectives, then the LEA must develop an “improvement plan.” The improvement plan must be designed to help the LEA to meet the State’s annual measurable objectives for increasing the percentage of highly qualified teachers and must address issues that prevented the LEA from meeting those objectives.

During the development of the improvement plan and throughout its implementation, the SEA must provide technical assistance to the LEA, as well as to schools within the LEA that need assistance to enable the LEA to meet the objectives.

**C-9. What happens if, after the third year of the plan the SEA develops under Title I, Section 1119 for increasing the percentage of highly qualified teachers, an LEA still has failed to make progress toward meeting its objectives and failed to make AYP?**

If, after the third year of the plan the SEA develops under Title I, Section 1119 of ESEA for increasing the percentage of highly qualified teachers, the LEA has failed to make adequate yearly progress (AYP) for three consecutive years under Section 1111(b)(2)(B) of Title I, Part A, the SEA must enter into an agreement with the LEA on its use of *Improving Teacher Quality State Grants* program funds under which the SEA will:

1. Develop (in conjunction with the LEA, teachers, and principals) professional development strategies and activities based on scientifically based research that the LEA will use to meet the State’s annual measurable objectives for improving teacher quality;
2. Require the LEA to use these professional development strategies and activities; and
3. Prohibit LEAs from using Title I, Part A funds to fund any new paraprofessionals, except under certain limited instances.

**C-10. What other steps must an SEA take with regard to an LEA that has failed to meet its performance goals and make AYP for three consecutive years?**

While the SEA is working to create professional development strategies and activities that will assist the LEA that failed to meet its performance goals, the SEA must (in conjunction with the LEA) provide funds directly to one or more schools served by the LEA.

The funds for these professional development activities at individual schools are to be taken from the LEA's *Improving Teacher Quality State Grants* allocation. These funds must be used to enable teachers at these schools to choose professional development activities that are coordinated with other reform efforts at the schools. (See **APPENDIX B** for the list of allowable professional development activities.)

**C-11. May a secondary school teacher who has demonstrated subject-matter competence in a core academic subject and received full State certification in that subject area be considered “highly qualified” when holding an emergency or temporary permit to teach another subject outside of his or her area of certification?**

No. To be “highly qualified,” Section 91201(23)(C)(ii) requires a teacher to have demonstrated “a high level of competency in each of the [core] academic subjects” in which he or she teaches. Hence, the teacher described in this question is highly qualified in terms of the first subject, but not in terms of the additional subject. The teacher will not be considered highly qualified in the additional subject area until he or she has passed a rigorous State academic subject test or demonstrated (through the other means the law permits) the required competence in the additional subject area.

**C-12. If either the State Commissioner of Education or the SEA has authority to waive certification requirements on an emergency, temporary, or provisional basis, can any teachers receiving such waivers be considered highly qualified?**

No. The law states that to be considered highly qualified, the teacher must not have “had certification or licensure requirements waived on an emergency, temporary, or provisional basis” [Section 9101(23)(A)(ii)].

**C-13. May a new teacher who holds a B.A. degree and who teaches in a supervised and mentored internship, but who has not passed the State subject matter exam, be considered highly qualified?**

Yes, but only if the teacher (1) is or will be teaching at the middle or secondary level, (2) has full State certification, and (3) has met one of the other statutory tests for having a high level of competency in the subject(s) that he or she would teach. Besides passing “a rigorous State academic subject test” in each [core] academic subject the teacher will teach, middle and high school teachers could

alternately demonstrate the necessary competence by completion of an academic major or authorized equivalent (*i.e.*, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing) in each of these subjects [Section 9101(23)(B)(ii)(II)]. (For more information on “full State certification,” see item C-2.)

**C-14. May a teacher who does not yet hold a B.A. degree or who has not yet passed the State subject matter exam (or otherwise demonstrated competence to teach each subject he or she would teach) be considered highly qualified if teaching in a supervised and mentored internship?**

No. To be considered highly qualified, every teacher at every grade level must (1) have at least a 4-year degree, (2) have full State licensure or certification (or be deemed to have such licensure or certification because of satisfactory participation in an alternative route program; see C-3 or C-15, below), and (3) demonstrate a high level of competence in each subject he or she would teach.

**C-15. May a teacher who holds a 4-year degree and has passed the State subject matter exam, but who has not yet attained full certification, be considered highly qualified if teaching in a supervised and mentored internship?**

Yes, but only if the teacher is participating on a satisfactory basis in an “alternate route” program. Teachers may be considered highly qualified if they (1) have a 4-year degree, (2) have demonstrated subject area competence in each of the core academic subjects in which they are or will be teaching, and (3) are participating in an alternative route program in accordance with the requirements stated in item C-3.

**C-16. Are charter school teachers who are new to the profession required to have college degrees?**

Yes. Charter school teachers must meet the requirements that apply to all public school teachers, including holding a four-year college degree and demonstrating competence in the core academic areas in which they teach. As with other new public school teachers, new charter school teachers may demonstrate this subject-matter competence (1) by “passing a rigorous state subject test in each of the academic subjects in which the teacher teaches,” or (2) if a middle or high school teacher, by having successfully completed, in each of the core academic subjects the teacher teaches, “an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing” [Section 9101 (23)(C)(i)]. New elementary school teachers, however, may demonstrate the required competency only by passing the State test [Section 9101(23)(B)(I)].

However, a teacher in a charter school does not have to be licensed or certified by the State if the State does not require such licensure or certification for its charter school teachers. Charter school teachers who teach core academic subjects (and who, therefore, are covered by the requirements for highly qualified teachers)

must comply with any provision in a State's charter school law regarding certification or licensure.

**C-17. May teachers who are in alternative route programs be considered highly qualified before they demonstrate competency in each core academic subject that they are or will be teaching?**

No. There are three criteria that a teacher must meet in order to be considered highly qualified: a 4-year degree, a demonstration of competency, and full State certification. Teachers who are satisfactorily completing alternative route certification programs must have a 4-year degree and have demonstrated a high level of competence in each subject area(s) they teach. (For more information on alternative routes and the definition of highly qualified teachers, see item C-3.)

**C-18. May a middle school teacher who has passed a State generalist exam in math, science, English and social studies be considered competent – on the basis of passing that test – to teach middle school courses and, therefore, be a highly qualified teacher?**

No. The law states that a middle school (and high school) teacher must demonstrate a high level of competence “in each of the academic subjects in which the teacher teaches” [Section 9101(23)(B)(ii) and (C)(ii)]. If a teacher does not meet this requirement on the basis of successful completion of an academic major or equivalent, the teacher either must, for each subject that he or she would teach -

1. Pass a rigorous State academic subject test, or
2. Demonstrate competence on the basis of a high, objective, uniform State standard of evaluation that, among other things, “provides objective, coherent information about the teacher’s attainment of core content knowledge in the academic subjects in which a teacher teaches” [Section 9101(23)(C)(ii)(III)].

Thus, the requirements governing highly qualified middle school teachers may be summarized as follows:

***New Middle School Teachers.*** A middle school teacher new to the profession must have (1) passed “a rigorous state subject test in each of the academic subjects in which the teacher teaches” [Section 9101(23)(B)(ii)(I)], or (2) have successfully completed, in each of the academic subjects the teacher teaches “an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing” [Section 9101(23)(B)(ii)(II)].

***Current Middle School Teachers.*** Current middle school teachers may meet the subject area competency requirement by completing one of the two options listed above for new middle school teachers [Section 9101(23)(C)(i)].

Alternatively, they may do so by demonstrating “competence in all the [core] academic subjects in which the teacher teaches based on a high, objective uniform State standard of evaluation” that --

1. Is set by the State for both grade- appropriate academic subject matter knowledge and teaching skills;
2. Is aligned with challenging State academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;
3. Provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
4. Is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;
5. Takes into consideration, but is not based primarily on, the time the teacher has been teaching in the academic subject; and
- 6 Is made available to the public upon request.

The standard may involve multiple, objective measures of teacher competency [Section 9101(23)(C)(ii)].

**C-19. May a middle school teacher be considered “highly qualified” if the teacher is licensed or certified by the State, has a B.A. degree, and holds a minor in the academic subject(s) he or she teaches?**

No. Whether new to the profession or not, if a middle school teacher has only a minor in the area he or she teaches, that teacher will not be considered to have met the highly qualified requirement until the teacher (1) passes a rigorous state subject test in that subject area, (2) successfully completes an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing in the subject(s) he or she teaches, or (3) has been successfully evaluated on the basis of a State system of evaluation that meets the requirements of Section 9101(23)(C)(ii).

**C-20. In some cases, State rules require each LEA to evaluate a teacher’s competency in a number of key areas, but do so against its own (LEA) benchmarks for what constitutes adequate quality in these areas. Does this approach meet the requirements for an “objective uniform State standard of evaluation” against which to assess teacher competency?**

No, although teachers of the same subject and grade may need different skills, depending on whether they teach in high-need urban or rural schools or schools located in more affluent areas. However, the law requires the State to ensure that

all LEAs use a uniform standard for evaluating whether teachers, regardless of where they teach, have the skills they need.

**C-21. Will the U.S. Department of Education require its review and approval of specific tests that States use for determining whether new elementary school teachers have the subject matter knowledge and teaching skills that are needed of highly qualified teachers?**

No. While the Department is always willing to respond to inquiries from States, it is the responsibility of the SEA to identify and approve such tests. We recommend that each SEA use the guidelines below to evaluate any tests that it wishes to consider for use in its State.

To meet the requirements of the law, new teachers at the elementary level must (1) hold a 4-year degree, (2) be licensed by the State, and (3) demonstrate, by passing a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary curriculum [Section 9101(23)(B)(i)].

The test may consist of a State-required certification or licensing test (or tests) in reading, writing, math, and other areas of the basic elementary school curriculum. The content of the test should be rigorous and objective and have a high, objective, uniform standard that the candidate is expected to meet or exceed. This standard must be applied to each candidate in the same way.

The purpose of the test is to establish the candidate's knowledge of content in reading, writing, math, and other areas of the basic elementary curriculum. In addition, the test might be used to target the areas where additional coursework or staff development may be needed to help the teacher succeed at meeting the standard.

The SEA may wish to go on record – via a resolution passed by the State Board of Education, for example – establishing which tests meet their criteria. Keeping such formal approvals on file, along with an explanation as to how the tests meet the criteria required by the law, would be one way for the State to demonstrate it is in compliance with the Section 9101(23) requirements.

**C-22. Will the U.S. Department of Education require its review and approval of specific tests that States use for determining whether new middle and secondary school teachers have a high level of competence in each of the subjects in which the teacher will teach?**

No. While the Department is always willing to respond to inquiries from States, it is the responsibility of the SEA to identify and approve such tests. We recommend that each SEA use the guidelines below to evaluate any subject area tests that it wishes to consider for use in its State.

To meet the requirements of the law, new teachers at the middle and high school levels must (1) hold a 4-year degree, (2) be licensed by the State, and (3) demonstrate their competence, in each of the areas the teacher teaches, either by:

1. Completing an academic major, a graduate degree, coursework equivalent to an academic major, or advanced certification or credentialing, or
2. Passing a rigorous State academic subject test [Section 9101(23)(B)(ii)].

The academic subject test may consist of a State-required certification or licensing test (or tests) in each of the academic subjects in which a teacher teaches. The content of the test should be rigorous and objective, focus on a specific academic content area, and have a high, objective, uniform standard that the candidate is expected to meet or exceed. These standards must be applied to each candidate in the same way.

The purpose of the test is to establish the candidate's knowledge in a given subject area. In addition, the test might be used to target the areas where additional coursework or staff development may be needed to help the teacher succeed at meeting the standard.

The SEA may wish to go on record – via a resolution passed by the State Board of Education, for example – establishing which tests meet their criteria. Keeping such formal approvals on file, along with an explanation as to how the tests meet the criteria required by the law, would be one way for a State to demonstrate it is compliant with the Section 9101 requirements.

**C-23. Where States choose not to use the results of a rigorous State subject-matter test as the means for determining whether a current teacher (*elementary, middle, or high school*) is “highly qualified,” will the U.S. Department of Education require its review and approval of State methods for evaluating a teacher’s knowledge and teaching ability?**

No. While the Department is always willing to respond to inquiries from States, it is the responsibility of the SEA to develop and approve these methods of ensuring that teachers have subject-matter competency – just as it is the SEA’s responsibility for ensuring, alternately, that teachers have demonstrated their competency (a) by passing a rigorous State academic subject matter test, or (b) in the case of middle or secondary school teachers, by completing an academic major or having other statutorily acceptable coursework or qualifications [Section 9101(23)(B)].

To meet the law’s requirements, any alternative means of evaluating teaching ability must demonstrate competency in all the academic subjects in which a teacher teaches based on a high, objective uniform State standard of evaluation that must meet each of the following six criteria [Title I, Section 9101(23)(C)(ii)]:



1. Be set by the State for both grade-appropriate academic subject matter knowledge and teaching skills;
2. Be aligned with challenging State academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;
3. Provide objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
4. Be applied uniformly to all teachers in the same academic subject and teaching in the same grade level throughout the State;
5. Take into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject; and
6. Be made available to the public upon request.

The alternative means of evaluating teaching ability also may involve multiple, objective measures of teacher competency.

Each evaluation should have a high, objective, uniform standard that the candidate is expected to meet or exceed. These standards for evaluation must be applied to each candidate in the same way.

Where States choose to adopt this alternative means for assessing whether teachers are highly qualified, we encourage them to consider going on record – via a resolution passed by the State Board of Education, for example – establishing how teachers of various subjects at different grade levels may meet the statutory criteria. Keeping such formal approvals on file, along with an explanation as to how the demonstration of competency meets the criteria required by the law, would be one way for a State to demonstrate that it has established the kinds of assessments that conform to the Section 9101(23) requirements.

**C-24. By when must each LEA receiving Title I, Part A assistance ensure that all teachers of core academic subjects hired and teaching in a program supported with Title I, Part A funds are “highly qualified?”**

Each LEA must ensure that all teachers of core academic subjects hired after the first day of the 2002–2003 school year and teaching in a program supported with Title I, Part A funds meet the highly qualified requirements. It also must have a plan for ensuring that all teachers in the LEA are highly qualified no later than the end of the 2005-2006 school year [*Section 1119(a)(1) and (3)*].

**C-25. Are there additional requirements for teachers hired with funds from Title III, Part A, the English Language Acquisition and Language Enhancement grants?**

Yes. An eligible entity receiving a grant under Section 3114 must include in its Title III plan a certification that all teachers in any language instruction educational program for limited English proficient children that is, or will be, funded under Title III, are fluent in English and any other language used for instruction, including having written and oral communications skills [*Title III, Section 3116(c)*].

**C-26. Do long- and short-term substitute teachers need to meet the “highly qualified” requirements?**

It is strongly recommended that a long-term substitute teacher, as defined by the State, meet the requirements for a highly qualified teacher as defined in Section 9101(23). However, in establishing a definition for a long-term substitute, SEAs and LEAs should bear in mind that the law requires that parents must be notified if their child has received instruction for 4 or more consecutive weeks by a teacher who is not highly qualified [*Title I, Section 1111(h)(6)*].

**C-27. If a K-8 school is designated by the State as an elementary school, do the teachers in grades 6, 7, and 8 have to meet the highly qualified requirements for elementary teachers or for middle school teachers?**

If the State has designated the school as an elementary school, then the teachers in grades 6, 7, and 8 will be expected to meet the highly qualified requirements for elementary teachers. However, if the upper elementary grades have been designated as a middle school, per the “school-within-a-school” concept, then they will be required to meet the requirements of middle school teachers.

**C-28. Some schools have alternative educational placements for disruptive or behaviorally challenged students, which is generally a self-contained classroom with a limited number of students. How can teachers who teach in such alternative arrangements be considered to have met the highly qualified requirements?**

At the elementary and middle school levels, teachers who provide instruction in alternative educational placements should meet the same highly qualified requirements as elementary school teachers. At the middle school level, arrangements should be made for independent study opportunities, where the teacher of record provides materials and lessons for the student.

## II. FEDERAL AWARDS TO STATES

### D. GENERAL ISSUES

#### D-1. Who is eligible to receive Improving Teacher Quality State Grants State allocations?

All States (i.e., each of the 50 States, District of Columbia and Puerto Rico), the Outlying Areas (United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands), and the Bureau of Indian Affairs (BIA) are eligible to receive *Improving Teacher Quality State Grants* State allocations.

#### D-2. How does the Department determine each State's *Improving Teacher Quality State Grants* allocation?

##### 1. Allocations to the Outlying Areas and BIA:

Prior to calculating State allocations, the Secretary reserves one half of one percent of the *Improving Teacher Quality State Grants* appropriation for awards to the Outlying Areas (United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) and one half of one percent for an award to BIA. Note: the Freely Associated States (the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau) are not eligible to receive *Improving Teacher Quality State Grants* funds.

##### 2. Allocations to States.

In determining the amount of each State's allocation, the Department first allots to each State the amount the State received for FY 2001 under the Eisenhower Professional Development and Class-Size Reduction programs. (In any fiscal year, if the *Improving Teacher Quality State Grants* appropriation is too small to permit allocations that equal at least the amounts that States received under these programs in FY 2001, the Department will ratably reduce each State's allocation for that fiscal year.)

The Department distributes any remaining funds based on the following formula:

- 35 percent based on each State's relative population of children ages five through 17, and
- 65 percent based on each State's relative numbers of individuals ages five through 17 from families with incomes below the poverty line.

In addition, each State must receive at least one-half of one percent of the money allocated under this formula (i.e., the money appropriated above the FY 2001 base level).

**D-3. How much of the State’s allocation must the SEA use for subgrants to LEAs, and how much do the SEA and SAHE retain for State-level activities?**

Under this program, the SEA must use 95 percent of the State’s *Improving Teacher Quality State Grants* funds (after reserving up to one percent for SEA and SAHE administration) for subgrants to LEAs. The SEA retains 2.5 percent of the funds for State-level activities described in Section 2113(c). The SAHE receives 2.5 percent of the funds (up to \$125 million among all SAHEs) to make competitive subgrants to eligible IHE-LEA partnerships as described in question M-1 of this document [Sections 2131-2134]. See the table below for a visual representation of the allocations.

**Improving Teacher Quality State Grants  
Within-State Allocations  
ESEA of 1965 as amended by  
No Child Left Behind Act of 2001**

2.5% of 99 % for SEA program activities	1 % of 100% for SEA and SAHE Administration
2.5% of 99 % for subgrants to local partnerships (SAHE portion)	
95 % of 99 % reserved to make subgrants to local educational agencies	

**Figure 1: Table**

**D-4. How is the portion of the State’s total allocation that is available for the costs of SEA and SAHE administration and planning to be allocated between the two agencies?**

For administrative funding, absent an agreement between the SEA and SAHE to the contrary, the Department will provide the SAHE the greater of:

1. The amount the FY 2001 funds it had received for administration under the predecessor Title II, ESEA Eisenhower Professional Development Program, or
2. Five percent of the amount available each year for subgrants to partnerships under Section 2113(a)(2) of the ESEA, as amended by NCLB.

The Department will award the remainder of the one percent to the SEA for its costs of administration and planning.

**D-5. What records must an SEA maintain regarding staff whose salaries are partially paid with Title II, Part A program funds?**

An SEA must keep salary and time distribution records to support the distribution of costs for staff whose salaries come from more than one source.

**D-6. What kinds of expenditures are covered under SEA administrative costs?**

The Department has not issued any regulations that govern the scope of administrative funds. The costs of administering the Improving Teacher Quality State Grants program generally will include expenses that are common to all programs the SEA administers, such as those needed to:

1. Provide technical assistance to LEAs; and
2. Cover the costs the State incurs in administering and assessing these programs.

Examples of administrative expenditures include monitoring, bookkeeping, application review and approval, preparation of any fiscal or performance reports, and dissemination of information relative to the evaluation and administration of the program.

**D-7. May an SEA use Title II, Part A funds reserved for administration to pay the costs of a contract with a public or private agency for goods and services the SEA needs to help it administer the program?**

Yes, provided the costs of the contract – like costs attributable to any Federal program – are reasonable, necessary to help the SEA carry out required administrative functions, and otherwise comport with the cost principles in OMB Circular A-87.

**D-8. What fiscal requirements govern the SEA initiation of cash drawdowns and cash advances to LEAs?**

Under Section 80.21(c) of EDGAR, grantees and subgrantees receive payments in advance “provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of the funds and their disbursement by the grantee or subgrantee.” Under Section 80.21(b), moreover, “methods and procedures for payment shall minimize the time elapsing between the transfer of funds and disbursement by the grantee or subgrantee, in accordance with Treasury regulations at 31 CFR part 205.” Under these regulations, the cash advances of an SEA and LEA must be limited to the minimum amounts needed, and must be timed to be in accordance with the actual, immediate cash requirements of the grantee or subgrantee in carrying out its projects.

**D-9. Does the Title II, Part A statute anticipate that all program funds, whether spent by LEAs, IHEs, or State agencies, will support a common strategy for improving teacher quality and thereby increasing student achievement?**

The statute (1) offers State and local flexibility in determining how to ensure quality teaching in exchange for accountability for results and, (2) in promoting this accountability, contains application requirements that require all recipients of Title II, Part A funds to carefully plan for their use.

At the State level, the statute expressly requires the SEA and SAHE (if the agencies are separate) to coordinate in the development of the priorities that the SAHE will fund with competitive grants [Section 2132(a)]. However, provided that an LEA has met its responsibility for carrying out a plan to ensure that all teachers are highly qualified by the end of the 2005-06 school year [Section 2141(c)], Title II, Part A leaves the question of whether each LEA needs to adopt a common Statewide strategy to SEA-LEA relationships and the exercise of State authority. (See also items J-16 through J-20.)

**D-10. What is the period of fund availability for all *Improving Teacher Quality State Grants* funds that an SEA, SAHE, or LEA receives?**

Funds that Congress appropriates are provided to SEAs, LEAs, and SAHEs to meet the needs of teachers and students during the 15-month period that begins July 1 of the Federal fiscal year for which Congress appropriates the money. However, recognizing that legitimate reasons may prevent recipients from using all of their funds during this period, Congress has provided that the period of availability extends until September 30 of the succeeding Federal fiscal year (FY). For example, FY 2002 Title II, Part A funds awarded July 2002 are appropriated for use during the period July 2002 through September 30, 2003, but remain available for obligation until September 30, 2004. In addition, FY 2002 Title II, Part A funds awarded in October 2002 (“advance funds”) are appropriated for use during the period October 1, 2002 through September 30, 2003, and remain available for obligation until September 30, 2004. FY 2002 funds not obligated by September 30, 2004 lapse and must be returned to the U.S. Treasury. The SEA and SAHE are responsible for maintaining fiscal records that account for funds on a Federal fiscal year basis.

**D-11. What regulatory provisions govern the administration of subgrants by SEAs and LEAs?**

Various provisions in the Education Department General Administrative Regulations (EDGAR), principally in Parts 76 and 80, govern the administration of subgrants. For example, State administrative responsibilities with respect to applications for subgrants are contained in Sections 76.770 and 76.771 of EDGAR. Responsibilities for technical assistance, monitoring, assisting in project evaluations (to the extent that they are required), and developing procedures and rules to ensure the proper expenditure of program funds, are

contained in Section 76.772. Section 80.37(a) contains general provisions regarding the SEA's and SAHE's award and administration of its subgrants to LEAs.

**D-12. Must an SEA and SAHE monitor all subgrant activities?**

Section 80.40(a) of EDGAR requires, among other things, that States "...monitor grant and subgrant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved."

SEAs and SAHEs must monitor grantees for compliance with Federal statutes and regulations, applicable State rules and policies, needs assessment findings, and the approved State and subgrant application. To do so, they are encouraged to conduct a systematic review of all *Improving Teacher Quality State Grants* activities on a regular basis, using monitoring instruments that are sufficiently comprehensive to permit them to determine whether subgrantees comply with program requirements and have made progress toward meeting all objectives of their approved applications.

Review of audit or annual reports alone is not an acceptable monitoring procedure. If an SEA or SAHE has reason to believe that a subgrantee is not adequately implementing its projects, it should monitor it more carefully and frequently.

For some *Improving Teacher Quality State Grants* requirements, such as a subgrantee's use of program funds in ways that reflect its approved application, and its efforts with respect to agency-, school-, and classroom-level improvements, the State may determine that on-site monitoring is the most suitable method.

**D-13. How often should an SEA and SAHE monitor a subgrantee project on site?**

On-site monitoring should take place as often as an SEA or SAHE determines is necessary to ensure that subgrant activities comply with *Improving Teacher Quality State Grants* program requirements.

**D-14. In what ways may an SEA and SAHE monitor its subgrantees?**

An SEA or SAHE may monitor in any manner that ensures compliance with program requirements. In addition to on-site visits, either agency may require periodic reports, conduct telephone interviews, hold subgrantee conferences, and use other strategies to promote and ensure adherence to applicable requirements. Whatever the method selected, it is important that it be used systematically and the results documented. An SEA and SAHE should maintain a system for reporting problems and recommending corrective actions to subgrantees, and for any follow-up that may be necessary.

Review of audit or annual reports alone is not an acceptable monitoring procedure. If an SEA or SAHE has reason to believe that a subgrantee is not adequately implementing its projects, it should monitor that subgrantee more carefully and frequently. It also should ensure that any assessments that LEAs perform are completed on a timely basis.

## **E. APPLICATION/PLAN REQUIREMENTS** [Section 2112]

### **E-1. How does the SEA apply for funds?**

An SEA applies for funds either by including the Title II, Part A program in an acceptable consolidated State application or by submitting a separate program-specific application to the Department. See question E-6 below [Section 2112].

### **E-2. What is a consolidated State application?**

A consolidated State application, authorized in Sections 9301 and 9302 of the ESEA, offers States the option of seeking funding under most ESEA formula grant programs through a single application rather than through the many program plans or applications that the individual ESEA program statutes otherwise would require. A State's consolidated application would contain "front-end" elements of an overall ESEA accountability system, as well as a minimum amount of program specific information on each included program.

Whether or not a State chooses to include the Improving Teacher Quality State Grants program in a consolidated application, it will still need to implement all requirements of the program statute that a State must include in a program-specific application. These include the requirements that govern planning, implementation, and accountability. [Section 2112]

### **E-3. What is a program-specific State application?**

States may choose to apply directly for *Improving Teacher Quality State Grants* funding rather than through the consolidated State application process. The Department has prepared separate program-specific instructions to guide such applications. A State program-specific application focuses solely on the *Improving Teacher Quality State Grants* application requirements, including requirements to coordinate with other programs assisted under ESEA.

### **E-4. Are either the amount of funds available to an LEA or State agency, or the flexibility the law offers to use those funds, in any way affected by a State's decision to seek funding on the basis of a consolidated application or a program-specific application?**

The type of application does not affect the amount of funds the State will receive and does not affect how those funds can be used. [Section 2112]



(NOTE: As used in this guidance, the term “State plan” means all of the *Improving Teacher Quality State Grants* program descriptions and assurances that Section 2112 of ESEA expressly requires of States that seek program funding on the basis of a program-specific application. As explained above, a State that applies for *Improving Teacher Quality State Grants* program funding on the basis of a consolidated application would still need to document that it has implemented such a State plan.)

**E-5. What process does a State use for developing the content of its program-specific application or consolidated application?**

Each State develops these planning documents on the basis of applicable State procedures. In implementing these procedures, we encourage the SEA and SAHE to consider the benefits of working collaboratively to address the overall needs of the State for improved teacher quality, through widespread discussion and collaboration with parents, teachers, principals, school and LEA officials, representatives of IHEs, and other stakeholders.

**E-6. What issues must a State address in its State application?**

The State’s application (State plan) must address key factors that affect both the quality and quantity of the State’s teaching force.

The *Improving Teacher Quality State Grants* program-specific application must contain the following descriptions:

1. How the SEA’s activities will be based on a review of scientifically based research and an explanation of why the SEA expects its activities to improve student academic achievement.
2. How the SEA will ensure that LEAs receiving subgrants will comply with its Title II, Part A requirements outlined in Section J of this document [*Sections 2122 and 2123*];
3. How the SEA will ensure that activities carried out in the State with *Improving Teacher Quality State Grants* funds are aligned with the State’s academic content and student academic achievement standards, State assessments, and State and local curricula;
4. How the SEA will use program funds to improve the quality of the State’s teachers and principals;
5. How the SEA will coordinate professional development activities conducted under the program with professional development activities provided under other Federal, State, and local programs;
6. The comprehensive strategy the SEA will use, in coordination with other Federal, State, and local programs, to ensure that teachers are trained in the

use of technology so that technology and applications of technology are effectively used in the classroom to improve teaching and learning in all curricula and academic subjects, as appropriate;

7. How the SEA will encourage the development of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as strategies that involve the use of technology, peer networks, and distance learning;
8. How the SEA will ensure LEA and SEA compliance with the requirements for professional development activities described in **APPENDIX A** [Section 9101(34)];
9. How the activities conducted with program funds will be developed collaboratively and based on the input of teachers, principals, parents, administrators, paraprofessionals, and other school personnel;
10. How the SEA will ensure that the professional development (including teacher mentoring) needs of teachers will be met using SEA and LEA funds;
11. How the SEA will use program funds to meet the teacher and paraprofessional requirements of ESEA [Section 1119]), and will hold LEAs accountable for meeting their annual measurable objectives [Section 1119(a)(2)].
12. The SEA's annual measurable objectives as described in question C-5 above [Section 1119(a)(2)] and, in the case of a State that has a charter school law that exempts teachers from State certification and licensing requirements, the specific portion of the State law that provides for the exemption.

**E-7. What assurances must be included in the State *Improving Teacher Quality State Grants* application?**

The State, if it submits a program-specific application for *Improving Teacher Quality State Grants*, must assure that (1) State activities under the *Improving Teacher Quality State Grants* will be carried out in conjunction with the entity responsible for teacher professional standards, certification, and licensing under State law, if the SEA is not that entity [Section 2112(b)(7)(B)]; and (2) the SEA will comply with the requirements regarding participation by private school children and teachers [Section 9501].

**E-8. What must the SEA include in the plan developed under Title I, Section 1111 to ensure that all teachers teaching core academic subjects are highly qualified by the end of the 2005-2006 school year?**

Each State plan shall describe the specific steps the State educational agency will take to ensure that both schoolwide programs and targeted assistance schools provide instruction by highly qualified instructional staff, including steps that the SEA will take to ensure that poor and minority children are not taught at higher

rates than other children by inexperienced, unqualified, or out-of-field teachers, and the measures that the SEA will use to evaluate and publicly report the progress of the SEA with regard to such steps [Section 1111(b)(8)C].

In addition, the State plan must identify annual measurable objectives that apply to each LEA and school in the State that, at a minimum, include: (1) an annual increase in the percentage of highly qualified teachers for each LEA and school; and (2) an annual increase in the percentage of teachers who are receiving “high-quality” professional development. The measurable objectives also may include other measures the SEA believes are appropriate to increase teacher qualifications [Section 1119(a)(2)]. (For a discussion of high-quality professional development, see items B-8 and B-9.)

**E-9. Must each LEA adopt the SEA’s annual measurable objectives for ensuring that all teachers are highly qualified by the end of the 2005-2006 school year?**

Yes. Moreover, Section 1119(b)(1) requires each LEA to report annually to the SEA on its annual progress in meeting the SEA’s annual performance objectives.

**E-10. Are there any circumstances under which an SEA must update its approved ESEA consolidated application?**

An ESEA consolidated application, like any State program application, must be amended if there is a significant and relevant change in: (1) the information in the application, (2) the administrative activities or program operations described in the application, or (3) the organization, policies, or operations of the SEA or SAHE. A significant and relevant change is one that materially affects the information or assurances in the application. (See Section 76.140(b) of EDGAR.)

**F. STATE USE OF FUNDS** [Section 2113]

**F-1. How may an SEA use the 2.5 percent of the State’s allocation that is reserved for SEA activities?**

Consistent with its State plan, the SEA must use these funds for one or more of the activities summarized below:

1. Reforming teacher and principal certification (including recertification) and licensure to ensure that teachers have the necessary subject-matter knowledge and teaching skills in subjects in which they teach, that certification or licensing requirements are aligned with challenging State academic content standards, and that principals have instructional leadership skills to help teachers teach and students learn;
2. Providing support for new and current teachers and principals through such activities as mentoring, team teaching, reduced class schedules, intensive

professional development, and using standards or assessments to guide beginning teachers;

3. Carrying out programs to establish, expand, or improve alternative routes for State certification for teachers and principals (especially in the areas of mathematics and science) that will encourage entry into the teaching profession for highly qualified individuals with at least a baccalaureate degree, including mid-career professionals, military personnel, paraprofessionals, and recent college graduates with records of academic distinction;
4. Developing and implementing effective mechanisms for helping LEAs and schools to recruit and retain highly qualified teachers, principals, and pupil services personnel;
5. Reforming tenure systems, implementing teacher testing for subject matter knowledge, and implementing teacher testing for State certification or licensure, consistent with Title II of the Higher Education Act (HEA). (Title II of HEA is addressed in questions F-2 and F-3 below);
6. Providing professional development for teachers and principals (and for pupil services personnel when the SEA determines their participation to be appropriate);
7. Developing systems to measure the effectiveness of specific professional development programs and activities in order to document gains in student academic achievement or increases in teacher mastery of academic subjects teachers teach;
8. Fulfilling the SEA's responsibilities for proper and efficient administration of *Improving Teacher Quality State Grants* programs, including provision of technical assistance to LEAs;
9. Funding projects to promote interstate certification or licensing reciprocity for teachers and principals, provided that the reciprocity agreement does not lead to a weakening of State certification or licensing requirements;
10. Developing or assisting LEAs in the development of proven, innovative strategies to deliver intensive professional development activities that are both cost-effective and easily accessible, such as strategies that involve delivery through the use of technology, peer networks, and distance learning;
11. Supporting the training of teachers and administrators in effectively integrating technology into curricula and instruction;
12. Developing, or assisting LEAs in developing, merit-based performance systems and strategies that provide differential and bonus pay for teachers in high-need academic subjects and for teachers in high-poverty areas. (Note:

Because the purpose of Title II, Part A is to increase student academic achievement, programs that provide teachers and principals with merit pay, pay differential, and/or monetary bonuses should be linked to measurable increases in student academic achievement produced by the efforts of the teacher or principal [Section 2101(1)];

13. Assisting LEAs in developing and implementing professional development programs for principals that enable them to be effective school leaders and to prepare all students to meet challenging State content and student academic achievement standards, which may include the development and support of school leadership academies;
14. Developing, or assisting LEAs in developing, teacher advancement initiatives that promote professional growth and that emphasize multiple career paths and pay differentiation. (Note: Because the purpose of Title II, Part A is to increase student academic achievement, programs that provide teachers and principals with merit pay, pay differential, and/or monetary bonuses should be linked to measurable increases in student academic achievement produced by the efforts of the teacher or principal [Section 2101(1)]);
15. Providing assistance to teachers to enable them to meet certification, licensing, or other requirements in order to become highly qualified by end of the 2005-2006 school year;
16. Supporting activities to ensure that teachers are able to use State academic content and achievement standards and State assessments to improve instructional practices and student academic achievement;
17. Funding projects and carrying out programs to encourage men to become elementary school teachers; and
18. Establishing and operating a center that serves as a statewide clearinghouse for the recruitment and placement of K-12 teachers and establishes and carries out programs to improve teacher recruitment and retention within the State.

**F-2. What programs funded by Title II of the Higher Education Act (HEA) should be coordinated with *Improving Teacher Quality State Grants* programs?**

Title II of HEA funds three Teacher Quality Enhancement Grant programs designed to increase student achievement through comprehensive approaches to improving teacher quality. The programs provide three types of competitive grants:

- *State Grants* to support comprehensive statewide reforms to improve teacher quality;
- *Partnership Grants* to bring about fundamental change and improvement in traditional teacher education programs; and

- *Teacher Recruitment Grants* to reduce shortages of qualified teachers in high-need school districts.

**F-3. How can SEAs that participate in HEA Title II programs coordinate their activities with the *Improving Teacher Quality State Grants* program?**

SEAs that participate in HEA Title II programs can coordinate their activities in numerous ways. Examples of such activities include:

- Helping teachers learn new skills that will enable them to take advantage of new options for instructional techniques that become available when class size is reduced.
- Preparing teachers to work with diverse student populations, including students with disabilities and limited English proficiency.
- Preparing teachers to work with parents in determining how best to help their children achieve higher standards.
- Developing programs that can be used as recruitment incentives to attract highly qualified teachers to high-poverty schools.
- In a coordinated effort with the Reading First program, helping teachers acquire the knowledge and skills necessary for effective reading instruction in the early grades.
- Providing high-quality preservice clinical experiences for student teachers who agree to teach in high-need schools after they earn their teaching credentials.
- Providing a mentoring program involving new and veteran teachers that involves interaction with faculty at nearby institutions of higher education.

**F-4. In planning its use of funds reserved for State activities, must SEAs establish or adhere to any particular priorities?**

The law gives SEAs flexibility and responsibility to (1) select those strategies and activities that will contribute most to the hiring, training, and retention of highly qualified teachers and principals, and (2) use these funds in ways that will have the greatest impact on increased student achievement for all students and in meeting SEAs' responsibilities for overall accountability [Section 2141].

**F-5. Must activities that the SEA supports with funds reserved for State use be based on a review of scientifically based research?**

Yes. Consistent with its State plan, all SEA activities supported with program funds must be based on a review of scientifically based research. In addition, the SEA must maintain a written explanation of why it expects those activities to improve student academic achievement. Implementing activities that are grounded in scientifically based research is a key factor affecting the quality of the State's teaching force.

**F-6. Does the law contain any restrictions on the amount of *Improving Teacher Quality State Grants* funding that an SEA may spend on either professional development or recruitment and hiring of teachers?**

The law does not include any such restrictions. However, in considering how to spend its State-level funds, the SEA should focus on its need to ensure that all teachers teaching in core academic subjects must meet the requirements for a highly qualified teacher by the end of the 2005-2006 school year. Consideration may be given to maintaining professional development funding for math and science at 2001-2002 levels.

**F-7. May an SEA use program funds to provide professional development activities in the area of bilingual education?**

Yes, so long as the professional development for teachers in this area – like professional development provided in any other subject or content area – helps to improve teachers’ ability to help all students meet the State’s challenging content and performance standards, and otherwise meets the definition of the term “professional development” listed in **Appendix A** [Section 9101(34)].

**F-8. Does the ESEA require SEAs to use funds reserved for State activities only to supplement, and not supplant, non-Federal funds that otherwise would be used for activities that *Improving Teacher Quality State Grants* program authorizes?**

Yes. The reauthorized program does include a “supplement, not supplant” requirement at both the SEA and LEA levels. SEAs will need to maintain records to demonstrate compliance with this requirement [Section 2120(f)]. (See questions A-4 and A-5 of this document).

**F-9. Does Title II, Part A in any way restrict the amount that an SEA must spend on professional development and/or recruiting and hiring teachers?**

No, each SEA has flexibility to use its State-level funds for any of the activities identified in Section 2113 that it determines will contribute most to improving teacher quality in the State.

**F-10. SEAs may use funds, among other ways, to develop or assist LEAs in developing merit-based performance systems and strategies that provide differential and bonus pay for teachers in high-need academic subjects such as reading, mathematics, and science and teachers in *high-poverty schools and districts* [Section 2113(c)(12)]. What is considered “high-poverty”?**

ESEA does not define the term “high poverty” for purposes of this Section. Therefore each SEA is free to adopt a reasonable definition that reflects the demographics of the State. In doing so, it might wish to consider whether it would be reasonable to adopt the definition of “high-poverty” used in the Title I, Part A statute with regard to the requirement that the SEA include in its annual

report card information on the qualifications of teachers, broken down by high- and low-poverty schools. This provision defines high-poverty to include schools in the top quartile of poverty in the State [Section 1111(h)(1)(C)(viii)].

**F-11. If some funds reserved for distribution to LEAs become available for reallocation (perhaps because some LEAs either do not apply for them or informed the SEA that they do not need them), must the SEA distribute these available funds to LEAs in the State?**

Yes. Any LEA funds that become available because some LEAs decide not to participate in the *Improving Teacher Quality State Grants* program (or agree that they cannot use them) must be distributed to other LEAs. An SEA has flexibility to determine how this redistribution will occur. It may, for example, proportionally increase the subgrant amount provided to all participating LEAs that need the funds. Alternately, an SEA could also establish special procedural and distribution criteria and make these funds available only to those LEAs that meet these criteria.

An SEA may not reserve for itself any portion of these LEA funds to help support either its State-level activities or its own administrative costs.

**G. FLEXIBILITY PROVISIONS** [Title VI]

**G-1. How do the flexibility provisions authorized under the reauthorized ESEA affect the *Improving Teacher Quality State Grants* program?**

In general, the flexibility provisions, which are described in greater detail on the Department's website at <http://www.ed.gov/offices/OESE/esea/index.html>, affect the Title II, Part A program. This is set out in more detail in **APPENDIX D**.

**H. PROGRAM EVALUATION AND REPORTING REQUIREMENTS**

**H-1. In addition to the funding application (consolidated or program-specific), what other information must an SEA receiving *Improving Teacher Quality State Grants* funds provide to the Department?**

In addition to information that the Department requests in the course of program monitoring or evaluations, each State must submit an annual performance report that includes information on progress toward meeting the State's annual teacher quality goals.

The Department will be working with States to develop an Internet-based system for integrating both information contained in the consolidated applications and



information States would provide in their annual performance reports into a single and comprehensive system of ESEA accountability [Section 9303].

### **III. STATE AWARDS TO LOCAL EDUCATIONAL AGENCIES (LEAS)**

#### **I. GENERAL ISSUES**

##### **I-1. What percentage of the State's *Improving Teacher Quality State Grants* funds does an SEA use to make subgrants to LEAs?**

The answer to question D-3 explains how the percentages of *Improving Teacher Quality State Grants* funds are allocated. [Section 2121]

##### **I-2. How are funds distributed to LEAs?**

The amount of each LEA's allocation reflects (1) a "hold-harmless" based on the amount of funds the LEA received in FY 2001 under the former Eisenhower Professional Development and Class-Size Reduction programs, and (2) the LEA's share of any funds still remaining.

In any year in which the amount available in the State for LEA grants exceeds the sum of the "hold-harmless" amounts for LEAs in the State, the SEA must distribute the excess funds based on the following formula:

- 20 percent of the excess funds must be distributed to LEAs based on the relative population of children ages five through 17, as determined by the Secretary; and
- 80 percent of the excess funds must be distributed to LEAs based on the relative numbers of individuals ages five through 17 from families with incomes below the poverty line, as determined by the Secretary.

##### **I-3. What amount of program funds may an LEA spend for administrative costs?**

The statute is silent on the amount of program funds an LEA may spend for administrative costs. Therefore, the amount of funds that an LEA may spend for this category of expenses is subject to requirements in the cost principles in the Office of Management and Budget (OMB) Circular A-87 -- including the principle that, among other things, all costs must be necessary, reasonable, and allocable to the program. To access the relevant information in OMB Circular A-87, go to: <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>, and read Part C.1.

LEA expenditures are also subject to the program's "supplement, not supplant" requirement. Hence, by virtue of Section 76.563 of the Education Department General Administrative Regulations (EDGAR), an LEA's indirect costs are

limited by application of its approved “restricted indirect cost rate.” [Section 2121(b)]

(Note: Like an LEA, the SEA (but not the SAHE) also must use program funds only in ways that supplement, but do not supplant, non-Federal funds that otherwise would be used for authorized activities. This is discussed in questions A-4 and A-5. Therefore, the funds that the SEA reserves for administration and planning, like the funds it reserves for State-level activities, are subject not only to the same Office of Management and Budget (OMB) cost principles, but also to the SEA's approved restricted indirect cost rate [Section 2113(f)]).

**I-4. May *Improving Teacher Quality State Grants* funds supplant State and local funds that LEAs use for authorized Title II, Part A LEA activities?**

No. Funds received under the *Improving Teacher Quality State Grants* program must supplement and may not supplant State and local funds that, in the absence of Title II funds, would be used to support these activities. The former Eisenhower Professional Development program did not have a similar requirement [Section 2123(b)]. (See questions A-4 and A-5 of this document.)

**I-5. Can charter schools apply for *Improving Teacher Quality State Grants* funds?**

It depends. Those charter schools that are LEAs can apply to their SEA the same as all other LEAs are allowed to do. However, those charter schools that are *not* LEAs cannot apply directly to the SEA for these funds. They are to be treated like the other schools within their particular LEA, and can participate in program activities on the same basis as all other schools.

**I-6. Must LEAs maintain the level of non-Federal fiscal effort in order to receive a full allocation of Title II, Part A funds?**

Yes. However, the Secretary may waive the maintenance of effort requirement upon a determination that a waiver would be equitable due to (1) exceptional or uncontrollable circumstances, such as a natural disaster; or (2) a precipitous decline in the financial resources of the LEA.

**I-7. How is the maintenance of effort determined?**

The SEA calculates whether an LEA has maintained effort on the basis of either (a) the combined fiscal effort per student, or (b) the aggregate level of expenditures from local and State funds with respect to the provision of free public education for the preceding fiscal year are not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. An LEA may receive funds for Title II, Part A program for any fiscal year only if maintenance of effort has been met.

**I-8. What happens if the LEA fails to meet the requirements for maintenance of effort?**

If the LEA fails to meet the requirements for maintenance of effort, the SEA will reduce the LEA's allocation of Title II, Part A funds in any fiscal year in the exact proportion by which an LEA fails to meet the 90 percent test mentioned in the forgoing answer, using the measure most favorable to the LEA.

**I-9. Should an SEA use average daily attendance, average daily membership, or some other method for determining an LEA's program allocation that is attributable to student enrollment? [Section 2121(a)(3)(A)]**

An SEA may use any method it chooses to determine enrollment in the area that each LEA serves so long as:

1. The resulting enrollment figures it uses reflect the total enrollment in either (a) all public and private nonprofit schools, or (b) all public schools and those private nonprofit schools desiring to participate in the *Improving Teacher Quality State Grants* program;
2. The method used is applied consistently to all public and private nonprofit schools; and
3. The method used is generally accepted by the State as a valid measure of enrollment.

**I-10. Are LEAs required to inform parents about the quality of a school's teachers?**

Yes. At the beginning of each school year, an LEA that accepts Title I, Part A funding must notify parents of students in Title I schools that they can request information regarding their child's teacher, including, at a minimum: (1) whether the teacher has met the State requirements for licensure and certification for the grade levels and subject areas in which the teacher provides instruction; (2) whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; (3) the college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and (4) whether the child is provided services by paraprofessionals, and if so, their qualifications.

All parents of children receiving Title I, Part A services must be so notified. The law states that the LEA must "notify the parents of each student" attending a Title I school of the parents' right to request such information [Section 1111(h)(6)]. Thus, it would not be sufficient merely to post this information on the Internet.

**I-11. Is a Title I school within an LEA required to provide parents with any additional information about the school's teachers?**

Yes. In a timely manner, an individual school must also notify parents:

1. When their child has been assigned to a teacher who does not meet the qualifications of a highly qualified teacher, or
2. When their child has been taught for 4 or more consecutive weeks by a teacher who does not meet the highly qualified requirements.

The format of these notices must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand [Section 1111(h)(6)].

**I-12. Are all LEAs, like the SEA, required to develop a plan to have all teachers highly qualified by 2005-2006, or is this requirement limited to LEAs that receive Title I funds?**

The requirement to develop this plan applies to those LEAs and SEAs that received Title I, Part A funds [Section 1119(a)(2) and (3)].

**J. APPLICATION/PLAN REQUIREMENTS** [Sections 2122 and 9305]

**J-1. How does an LEA apply for funds from the SEA?**

An LEA may receive a Title II, Part A subgrant by submitting to the SEA either a consolidated local plan/application or a program-specific application.

**J-2. What must be included in a program-specific application?**

A program-specific application must be based on a needs assessment and contain the appropriate descriptions and assurances [Sections 2122 (b) and (c)]. (See the following questions in this section.)

**J-3. How can an LEA receive Title II, Part A funds using a consolidated local plan/application rather than a program-specific application?**

ESEA allows LEAs to receive Title II, Part A and most other ESEA formula grant program funding from the SEA through a consolidated local plan/ application. The SEA determines the content of these plans or applications, and the procedures for submitting them, in consultation with the Governor and the LEAs in the State [Section 9305].

Except where States may require inclusion of Title II, Part A in a consolidated local plan or application, an LEA has the option of submitting either a consolidated application or an *Improving Teacher Quality State Grants* program-

specific application to the SEA according to a schedule that the SEA establishes [Section 9305(b)].

Whichever application an LEA submits, it must meet, and keep records that it has met, all statutory and regulatory requirements for Title II, Part A. (NOTE: As used in this guidance, the term “local plan” means all of the *Improving Teacher Quality State Grants* program descriptions and assurances expressly required of LEAs that seek program funding on the basis of a program-specific application. An LEA that applies for *Improving Teacher Quality State Grants* program funding on the basis of a consolidated local plan or application would still need to document that it has met all the requirements called for in those descriptions and applications.)

**J-4. What is the purpose of the required LEA needs assessment?**

The purpose of the needs assessment is to determine the needs of the LEA’s teaching force in order to be able to have all students meet challenging State content and academic achievement standards. An LEA may want to use information such as student achievement data, information about numbers of teachers (disaggregated by subject taught and grade level) who lack full teacher certification or licensure, assessments by administrators and mentor teachers who evaluate teacher and student performance, and teacher self-evaluations.

**J-5. What is the needs assessment intended to accomplish?**

The LEA uses the needs assessment to identify local teacher quality needs - in particular, those needs that must be addressed if the LEA is to have all teachers highly qualified by the end of the 2005-2006 school year. The assessment should take into account:

1. The activities that the LEA must conduct in order to give teachers the means to provide all students the opportunity to meet challenging State content and academic achievement standards; and
2. The activities that the LEA needs to conduct in order to give principals the instructional leadership skills to help teachers provide all students with the opportunity to meet challenging State content and academic achievement standards [Section 2122(c)(2)].

**J-6. Who must be involved in the needs assessment process?**

The LEA must carry out the needs assessment with the involvement of the district’s teachers, including those in schools receiving assistance under the Title I, Part A program.

**J-7. What key issues must the LEA address in its *Improving Teacher Quality State Grants* plan?**

The ESEA's requirements for the Title II, Part A local plan are intended to have each school district "think outside the box." In developing the plan, school district administrators, teachers, and other school staff should work together to examine comprehensively all approaches and strategies that can help the LEA ensure that all of its teachers – current teachers and those newly hired – are highly qualified, and also that teachers are able to help all students succeed academically to the fullest extent. This process will help ensure that all students are able to achieve challenging content and student academic achievement standards. By law, the local plan must include a description of:

1. Results of the local needs assessment;
2. The activities that the LEA will carry out with program funds, including the professional development provided to teachers and principals and how these activities will align with challenging State academic content standards, student academic achievement standards, State assessments, and the curricula and programs tied to those standards;
3. How the proposed activities are based on a review of scientifically based research and how the activities will have a substantial, measurable, and positive impact on student academic achievement, and how the activities will be used as part of a broader strategy to eliminate the achievement gap that separates the performance of low-income and minority students from other students;
4. How the LEA will coordinate professional development activities authorized under Title II, Part A with professional development activities provided through other Federal, State, and local programs;
5. How the LEA will ensure that the professional development needs of teachers (including teacher mentoring) and principals will be met with the LEA's *Improving Teacher Quality State Grants* funds;
6. How the LEA will integrate *Improving Teacher Quality State Grants* funds with funds the LEA receives through the Enhancing Education Through Technology program (Title II, Part D) to train teachers to integrate technology into curricula and instruction to improve teaching, learning, and technology literacy;
7. How the LEA's teachers, paraprofessionals, principals, other relevant school personnel, and parents have collaborated in preparing the local plan and will collaborate in the activities to be undertaken;
8. How the LEA will provide training to enable teachers to (1) teach to the needs of students with different learning styles – particularly students with

disabilities, students with special learning needs (including those who are gifted and talented), and those with limited English proficiency; (2) improve student behavior in the classroom; (3) involve parents in their child's education; and (4) understand and use data and assessments to improve classroom practice and student learning; and

9. How the LEA will use *Improving Teacher Quality State Grants* funds to meet the requirements of Title I, Section 1119 of ESEA for teachers and paraprofessionals. That section requires an LEA to establish annual measurable objectives for each LEA and school that, at a minimum, include an annual increase in the percentage of highly qualified teachers at each LEA and school. It also includes a requirement for the LEA's plan to include an annual increase in the percentage of teachers who receive high-quality professional development [Section 2122].

**J-8. What assurances must be included in the LEA *Improving Teacher Quality State Grants* plan?**

An LEA, if it submits a program-specific application, must assure that:

1. It will target program funds to schools that have the lowest proportion of highly qualified teachers, have the largest average class size, or are identified for school improvement under Title I, Section 1116(b); and
2. It will comply with Title IX, Section 9501 of ESEA regarding participation by private school children and teachers.

Whether or not the LEA submits a program-specific application, it must meet these two requirements.

**J-9 What data should the LEA use when conducting a needs assessment?**

The focus of *No Child Left Behind* is on improving student academic achievement, and schools will be held accountable for making this happen. Therefore, it is strongly recommended that professional development be grounded in scientifically based research and targeted at academic needs as identified by achievement data. Data-driven decision-making is critical to the development of a high-quality teaching force.

The law provides that the LEA's needs assessment "shall take into account the activities that need to be conducted in order to give teachers the means, including subject matter knowledge and teaching skills, and to give principals the instructional leadership skills, to help teachers to provide students with the opportunity to meet challenging State and local student academic achievement standards" [Section 2122(c)(2)].

The law does not prescribe the data an LEA must use. However, the data and other information necessary for determining teacher needs might include

information such as: student achievement data, information on national and State initiatives, projections of the professional development necessary to ensure that all teachers of core academic subjects meet the highly qualified requirements in Section 9101(23), scientifically based research on proposed programs and strategies, projections of teacher supply in critical areas, student enrollment data, program assessment data, and community and business input.

**J-10. If a need is mentioned in the LEA needs assessment, must it be addressed in the district plan?**

No. The LEA's needs assessment focuses on "local needs for professional development and hiring as identified by the LEA and school staff." It therefore is likely to reflect a wide array of needs, not all of which the LEA may be able to address with limited fiscal and non-fiscal resources. Therefore, an LEA's plan does not have to address all of these identified needs. Rather, as identified in the content requirements in Section 2122(b), for the most part the district plan describes the LEA's uses of *Improving Teacher Quality State Grants* funds, and why these uses are likely to produce positive results in teaching practice and the achievement of all of the district's students.

**J-11. Must staff at individual schools be involved in developing an LEA's needs assessment?**

Yes. The law states that the needs assessment must reflect the needs for professional development "as identified by the [LEA] and school staff," and requires the LEA to conduct its needs assessment "with the involvement of teachers, including teachers participating in programs under part A of Title I" [Section 2122(c)(1) and (2)]. Therefore, the LEA needs to involve teachers at individual schools in the needs assessment process. How it does so (e.g., through surveys, focus groups, and other means of collecting data) is left to the LEA and its staff to decide.

**J-12. After conducting its needs assessment, are there any priorities that the LEA must address as it plans its use of Title II, Part A funds?**

Yes. The LEA must target funds to schools that (1) have the lowest proportion of highly qualified teachers, (2) have the largest average class size, or (3) are identified for school improvement under Section 1116(b) of Title I, Part A [Section 2122(b)(3)].

In addition, in considering how to plan its use of Title II, Part A funds, an LEA should consider the responsibilities it must undertake under its Title I, Part A plan. This includes providing assurances that the LEA will: (1) work in consultation with schools as the schools develop and implement their plans or activities under section 1119 [Title I, Section 1112(c)(H)]; (2) comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals and professional development [Title I, Section 1112(c)(I)]; and (3)



ensure, through incentives for voluntary transfers, professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers [Title I, Section 1112(c)(L)].

**J-13. How is a needs assessment different from a program evaluation?**

The purpose of a needs assessment is to identify those areas that an LEA finds could be strengthened, such as areas of weakness in student academic achievement, so as to develop a meaningful plan for teacher training. The LEA uses the results of this assessment to plan its Title II, Part A activities, keeping in mind its student achievement goals and its plan for ensuring that all teachers in core academic areas meet the “highly qualified” requirements by the end of 2005-06 school year.

A “program evaluation” is generally performed by the LEA as part of its process for determining the impact of district strategies. While useful, it is not required by the Title II, Part A program statute.

**J-14. Should an LEA needs assessment examine professional development and hiring needs in the context of a strategy for eliminating the achievement gap that separates low-income and minority students from other students?**

Yes. Since the law requires each LEA to develop a strategy for closing this achievement gap [see Section 2122((b)(2))], the LEA presumably will want to use the needs assessment process to engage teachers, principals, and other staff in identifying key professional development and hiring needs in this critical area.

**J-15. Does the size of the district, and thus the amount of the LEA allocation from *Improving Teacher Quality State Grants*, determine the amount of detail that should be included in the needs assessment?**

No. The program statute requires every LEA to design its *Improving Teacher Quality State Grants* activities on the basis of a needs assessment that identifies the LEA’s needs. Every LEA, regardless of the size of its allocation, should be able to implement a considered process for determining needs, prioritizing them, and developing strategies.

**J-16. May an SEA reject an LEA’s subgrant application on grounds that the LEA’s proposed uses of Title II, Part A funds do not conform to State-level priorities?**

No. Section 2122 establishes program requirements that govern an LEA’s receipt of Title II, Part A funds. While Section 2122(a) authorizes the SEA to supplement these requirements by requiring the LEA to submit an application “at such time, in such manner, and containing such information as the [SEA] may reasonably require,” the statute does not authorize the SEA to compel an LEA to use its program allocation in ways that the SEA deems best. So long as an LEA submits

an application that the SEA can determine contains the information that the statute identifies (along with other information -- e.g., a proposed budget -- that the SEA may reasonably require), the LEA is entitled to receive its allocation of Title II, Part A funds.

On the other hand, the SEA has responsibility for determining that an LEA's application reasonably addresses the application requirements. Where the application does not, the SEA also has responsibility for holding up the application's approval until the LEA adequately modifies its initial proposal.

Many SEAs provide program funds to LEAs on the basis of an optional consolidated local plan or application [Section 9305] rather than on the basis of the Section 2122 program application. This provision authorizes an SEA to provide program funding on the basis of information from LEAs that is linked to cross-program coordination, planning, and service delivery and integration of the Federal programs with State and local programs, rather than on the basis of the Section 2122 requirements.

**J-17. How might an SEA use the application process to ensure that LEAs spend their program funds as wisely as possible to help improve the quality of their teaching force?**

Title II, Part A provides LEAs a significant amount of money to support improvements in the recruitment, hiring, training, and retention of their teaching force. Consistent with State law, SEAs and other State agencies can exercise an enormous amount of discretion and authority in how LEAs improve the overall quality of their teachers. All activities pursued, however, must be grounded in scientifically based research.

For example, States may require periodic teacher recertification, establish the standards for recertification, require schools to develop school improvement plans that build on the importance of quality professional development, and assist LEAs in developing financial incentive programs to encourage highly qualified and effective teachers to teach in high-need schools. All of these activities are permitted uses of Title II, Part A funds. An SEA may have a discussion with the LEA about the information contained in the LEA's program application to ensure that the LEA's information reflects proper consideration of these State priorities and initiatives.

Even where a State does not mandate that LEAs and teachers adopt certain practices, the SEA still has a significant role to play in ensuring that LEAs propose sound uses of their Title II, Part A funds. The flexibility (in exchange for accountability) that the law now offers LEAs is flexibility to make sound, informed decisions. As evidenced by the comprehensive set of LEA application requirements in Section 2122, it is not flexibility to make the easiest decisions. SEAs should take seriously their statutory responsibility to "review and approve" these applications to ensure that the LEAs are not simply funding what is easiest.

For example, an SEA may feel strongly that an LEA will shortchange the professional development needs of its teachers if it spends disproportionate amounts of its Title II, Part A funds on the salaries of teachers needed to reduce class size. Both activities are allowable uses of an LEA's Title II, Part A funds. However, using program funds to reduce class size at the expense of promoting improved teaching quality may not, for example, help the LEA to ensure that all of its teachers are highly qualified by the end of the 2005-06 school year [Section 2122(b)(10)]. Where SEAs find that LEA applications fail to reflect either the required application content or answers to basic questions such as these, SEAs may defer awarding funds until they are satisfied with the LEA's explanations.

**J-18. What other strategies might States use to help LEAs adopt and implement more effective teacher training activities?**

In addition to impressing upon the LEAs the requirement that activities be research-based, the State might (1) work with LEA staff to develop guidance on effective strategies for improving teacher training, and provide these to the LEAs in a variety of settings, including as part of the application packet; (2) adopt and widely publicize a formal statement of State goals; (3) help LEAs approve their technical assistance and monitoring; (4) sponsor conferences and other meetings that address issues related to improving teacher performance; and (5) disseminate information about successful programs and practices; and (6) publicly recognize schools and districts found, after sound analysis, to have exemplary teacher training activities.

**J-19. How can the SEA ensure that those activities an LEA proposes to implement with Title II, Part A funds are, in fact, consistent with the required local needs assessment?**

If an LEA submits a program application under Section 2122, the alignment of the proposed activities with the needs identified in the needs assessment should be evident from the content of the application itself. An LEA's application, first of all, must contain a description of the results of its needs assessment [Section 2122(b)(8) and (c)]. The remainder of the application contains information on how the LEA's use of Title II, Part A funds will meet its identified needs. For example, the application must include a description of the professional development activities to be carried out with Title II, Part A funds, how these activities will have a substantial, measurable, and positive impact on student academic achievement, and how the activities will be used as part of a broader strategy to eliminate the achievement gap that separates low-income and minority students from other students [Section 2122(b)(6) and (2)].

If, instead, an LEA receives funding on the basis of a consolidated local plan or application, the SEA has flexibility, in consultation with the LEAs and the State's governor, to adopt any application content requirements it wants provided these criteria relate to the objectives of the consolidated plan or application, -- *i.e.*, improvement of teaching and learning through greater coordination of the Federal

programs and their integration into State and local-funded activities. Hence, the SEA is free to tailor the application in any reasonable way to ensure that Federal funds are supporting teacher-training activities that flow from the local needs assessment.

**J-20. What actions can an SEA take if an LEA's application for Title II, Part A funds does not propose activities consistent with the LEA's need assessment?**

An SEA has responsibility for determining whether an LEA's application reasonably addresses the application and related requirements in section 2112. While each LEA has a great deal of flexibility in determining how best to use its Title II funds, its plans for the use of these funds must be predicated on the LEA's needs assessment required by section 2122(c). Under that provision, the needs assessment must take into account the activities that need to be conducted in order to give teachers the means to provide students with the opportunity to meet challenging State and local student academic achievement standards, and to give principals the instructional leadership skills to help teachers do so. Among other things, since the LEA's application must address how the LEA will meet the teacher and paraprofessional requirements in section 1119, the LEA's needs assessment should include an assessment of what it will need to meet these requirements. If the LEA's application does not include a summary of its needs assessment and describe how it will use Title II, Part A funds to address those needs, the SEA has the responsibility to delay the approval of the application until the LEA adequately modifies its initial application.

Note: It is possible that some SEAs have adopted consolidated local plans or applications under section 9305 of the ESEA, under which an LEA may receive Title II, Part A funding without first identifying the content of its needs assessment and proposed uses of program funds as otherwise required by section 2122. In this case, the SEA would have responsibility for ensuring that, before releasing funds to an LEA, the LEA consolidated plan or application had adequately addressed the criteria the SEA had established for receipt of Title II, Part A funds.

**K. LOCAL USE OF FUNDS** [Section 2123]

**K-1. What are the authorized uses of LEA funding?**

Consistent with its local plan and needs assessment, the *Improving Teacher Quality State Grants* program offers an LEA the flexibility to design and implement a number of different activities that can result in a teaching staff that is highly qualified and able to help all students, regardless of individual learning needs, achieve challenging State content and academic achievement standards and school principals with the knowledge and skills necessary to lead their schools' efforts to increase student academic achievement. For example, the statute specifically authorizes the following types of activities:

1. Developing and implementing mechanisms to assist schools to effectively recruit and retain highly qualified teachers, principals, and specialists in core academic areas (and other pupil services personnel in special circumstances, as noted in question K-3 of this document);
2. Developing and implementing strategies and activities to recruit, hire, and retain highly qualified teachers and principals. These strategies may include (a) providing monetary incentives such as scholarships, signing bonuses, or differential pay for teachers in academic subjects or schools in which the LEA has shortages. (Note: Because the purpose of Title II, Part A is to increase student academic achievement, programs that provide teachers and principals with merit pay, pay differential, and/or monetary bonuses should be linked to measurable increases in student academic achievement produced by the efforts of the teacher or principal [Section 2101(1)]); (b) reducing class size; (c) recruiting teachers to teach special needs children, and (d) recruiting qualified paraprofessionals and teachers from populations underrepresented in the teaching profession, and providing those paraprofessionals with alternative routes to obtaining teacher certification;
3. Providing professional development activities that improve the knowledge of teachers and principals and, in appropriate cases, paraprofessionals, in:
  - (a) **Content knowledge.** Providing training in one or more of the core academic subjects that the teachers teach; and
  - (b) **Classroom practices.** Providing training to improve teaching practices and student academic achievement through (a) effective instructional strategies, methods, and skills; (b) the use of challenging State academic content standards and student academic achievement standards in preparing students for the State assessments.
4. Providing professional development activities that improve the knowledge of teachers and principals and, in appropriate cases, paraprofessionals, regarding effective instructional practices that –
  - (a) Involve collaborative groups of teachers and administrators;
  - (b) Address the needs of students with different learning styles, particularly students with disabilities, students with special needs (including students who are gifted and talented), and students with limited English proficiency;
  - (c) Provide training in improving student behavior in the classroom and identifying early and appropriate interventions to help students with special needs;

- (d) Provide training to enable teachers and principals to involve parents in their children's education, especially parents of limited English proficient and immigrant children; and
  - (e) Provide training on how to use data and assessments to improve classroom practice and student learning;
5. Developing and implementing initiatives to promote retention of highly qualified teachers and principals, particularly in schools with a high percentage of low-achieving students, including programs that provide teacher mentoring, induction, and support for new teachers and principals during their first three years; and financial incentives for teachers and principals with a record of helping students to achieve academic success;
  6. Carrying out programs and activities that are designed to improve the quality of the teaching force, such as innovative professional development programs that focus on technology literacy, tenure reform, testing teachers in the academic subject in which teachers teach, and merit pay programs. (Note: Because the purpose of Title II, Part A is to increase student academic achievement, programs that provide teachers and principals with merit pay, pay differential, and/or monetary bonuses should be linked to measurable increases in student academic achievement produced by the efforts of the teacher or principal [Section 2101(1)]);
  7. Carrying out professional development programs that are designed to improve the quality of principals and superintendents, including the development and support of academies to help them become outstanding managers and educational leaders;
  8. Hiring highly qualified teachers, including teachers who become highly qualified through State and local alternative routes to certification, and special education teachers, in order to reduce class size, particularly in the early grades; and
  9. Carrying out teacher advancement initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a mentor teacher, career teacher, or exemplary teacher) and pay differentiation. (Note: Because the purpose of Title II, Part A is to increase student academic achievement, programs that provide teachers and principals with merit pay, pay differential, and/or monetary bonuses should be linked to measurable increases in student academic achievement produced by the efforts of the teacher or principal [Section 2101(1)]).

**K-2. Are LEAs required to spend a certain portion of their allocation on math and science activities?**

The Secretary recognizes the importance of math and science instruction. According to a report by the U.S. Commission on National Security 21<sup>st</sup> Century:

*“Second only to a weapon of mass destruction detonating in an American city, we can think of nothing more dangerous than a failure to manage properly science, technology, and education for the common good over the next quarter century.”* In preparing their needs assessments, LEAs are strongly encouraged to look closely at their needs for recruiting, training, and retaining high quality math and science teachers, particularly in light of their student academic achievement in math and science.

**K-3. When may an LEA use Title II, Part A funds for programs to recruit and retain pupil services personnel?**

An LEA may use Title II, Part A funds for these activities only (1) if the LEA is making progress toward meeting the annual measurable objectives described in Title I, Section 1119(a)(2) of ESEA; and (2) in a manner consistent with mechanisms to assist schools in effectively recruiting and retaining highly qualified teachers and principals.

**K-4. May activities that are not based on scientifically based research be supported by *Improving Teacher Quality State Grants* funds?**

The local plan requirements of the statute provide that all activities supported by *Improving Teacher Quality State Grants* must be based on a review of scientifically based research. In addition, the definition of “professional development” provides that the term includes activities “that advance teacher understanding of effective instructional strategies that are based on scientifically based research” [Section 9101(34)]. For more information, see **APPENDIX C**.

**K-5. May LEAs use *Improving Teacher Quality State Grants* funds to recruit and hire teachers to reduce class size?**

The reauthorized ESEA consolidates the former Class-Size Reduction (CSR) program authority into *Improving Teacher Quality State Grants* and provides increased flexibility for how LEAs may use funds to reduce class size. Under *Improving Teacher Quality State Grants*, LEAs may use funds to recruit and hire highly qualified teachers (including special education teachers and teachers who become highly qualified through alternative routes to certification) to reduce class size, particularly in the early grades. Thus, while there remains an emphasis on early grade class-size reduction, LEAs are no longer required to use funds to reduce class size in grades K-3 before using funds to reduce class size in other grades, including middle and high school grades. Rather, LEAs may use *Improving Teacher Quality State Grants* funds to hire highly qualified teachers to reduce class size in accordance with the results of their needs assessment [Sections 2123(a)(2)(B) and (a)(7)].

If an LEA desires to focus on reducing class size, it may be most beneficial to focus such efforts on the early grades. Smaller class sizes at that level may be one way to assist LEAs in reaching the goals of having all children reading on or above grade level and demonstrating math proficiency by the end of third grade.

**K-6. May an LEA use carryover funds from the former Class-Size Reduction (CSR) and Eisenhower programs under *Improving Teacher Quality State Grants*?**

Yes. However, LEAs must use carryover funds in accordance with (1) the Federal statutes and regulations that are in effect for the program during the carryover period, and (2) any plan or application that the LEA has submitted that is in effect during the carryover period [See EDGAR, Section 76.710].

The ESEA consolidates the Class Size Reduction and Eisenhower programs into *Improving Teacher Quality State Grants*. Any FY 2001 funds that an LEA received under the Eisenhower or CSR programs that are not obligated by September 30, 2002, remain available through September 30, 2003 and must be spent in accordance with the provisions of *Improving Teacher Quality State Grants*. The use of carryover funds will also be governed by the local application for *Improving Teacher Quality State Grants* that an LEA submits to its SEA.

*Improving Teacher Quality State Grants* is, of course, broader than the former CSR and Eisenhower programs because it authorizes many other uses of funds. Consequently, LEAs are not restricted to using their carryover CSR funds, for example, for class-size reduction purposes and may use the funds in other ways consistent with the *Improving Teacher Quality State Grants* statute and their local applications.

**K-7. What are some ways in which LEAs may use highly qualified teachers hired with *Improving Teacher Quality State Grants* funds to reduce class size?**

LEAs may reduce class sizes by creating additional classes in a particular grade or subject and placing highly qualified teachers hired with program funds in those classes. However, because of space constraints and other concerns, this is not always feasible. There are other methods of reducing class size that are effective in assisting students in increasing their level of achievement. For instance, the benefits of smaller class size can be provided by the creation of smaller instructional groups, served by highly qualified teachers, for sustained blocks of time on a regular basis. Some examples of how LEAs might use this approach to reduce class size include but are not limited to:

3. Having two highly qualified teachers team teach in a single classroom for either part of the school day or the entire day.
4. Hiring an additional highly qualified teacher for a grade level (e.g., providing three teachers for two 3<sup>rd</sup> grade classes) and dividing the students among the teachers for sustained periods of instruction each day in core academic subjects, such as reading and math.
5. Hiring an additional highly qualified teacher who works with half the students in a class for reading or math instruction, while the other half remains with the regular classroom teacher.



LEAs have the flexibility to explore these and other alternatives for reducing class sizes, provided that highly qualified teachers are used. Generally, the manner in which LEAs reduce class size should result in a meaningful reduction for all of the students in the class on a regular basis. Research shows that “pull-out” programs involving reducing class size by only a handful of students, or sporadic reduction of class size, are less likely than other methods of class-size reduction to result in increased achievement for students. (See also question A-4 of this document.)

**K-8. May LEAs use funds under *Improving Teacher Quality State Grants* to continue to pay the salaries of teachers hired under the former Class-Size Reduction program?**

Yes; however, the teachers must be highly qualified under the requirements of ESEA, and they must still be teaching in positions that exist to reduce class size.

**K-9. May LEAs use *Improving Teacher Quality State Grants* funds to provide training activities to enhance the involvement of parents in their child’s education?**

Yes. Parental involvement involves having parents participate in regular, two-way, and meaningful communications involving student learning and other school activities. Effective strategies may include (1) promoting the understanding that parents are true partners in their children’s education and communicating the need for parents to help their children succeed in school; (2) providing parents with specific suggestions, on an ongoing basis, about ways to encourage learning at home and ways to be actively involved in their child’s education at school.

**K-10. May funds be used to support the acquisition of advanced degrees?**

Yes, to the extent that doing so is consistent with the LEA’s needs assessment and local plan. The funds must enable the teacher to provide more effective instruction in core academic subjects, or assist a principal to be a more effective manager and leader of efforts to improve student academic achievement.

**K-11. Can an LEA form a partnership to carry out its proposed activities?**

Yes. LEAs are authorized to partner with both for-profit and non-profit entities and to carry out authorized activities through grants or contracts with those entities [Section 2123(a)].

**K-12. May an LEA use *Improving Teacher Quality State Grant* funds to provide training for paraprofessionals?**

Yes. The law allows LEAs to use these funds to provide professional development activities “that improve the knowledge of teachers and principals, and, in appropriate cases, paraprofessionals” concerning:

- One or more core academic subjects that teachers teach [*Section 2123(a)(3)(A)(i)*];
- Effective instructional strategies, methods, and skills, and use of challenging content and academic achievement standards and State assessments to improve teaching practices and student academic achievement [*Section 2123(a)(3)(A)(ii)*];
- Training in how to teach and address the needs of students with different learning styles, particularly students with disabilities, students with special learning needs (including students who are gifted and talented), and students with limited English proficiency [*Section 2123(a)(3)(B)(ii)*];
- Training in methods of improving student behavior in the classroom and identifying early and appropriate interventions to help special needs children learn [*Section 2123(a)(3)(B)(iii)*];
- Training in how to understand and use data and assessments to improve classroom practice and student learning [*Section 2123(a)(3)(A)(v)*].

LEAs also may use their Title I funds “to support ongoing training and professional development to assist teachers and paraprofessionals” in order to meet the teacher quality and paraprofessional requirements included in Section 1119 [*Section 1119(h)*]. Provided that an LEA maintains records of the amount of Title I and Title II, Part A funds used for these professional development activities, and the Title I funds are used as permitted in the Title I statute and regulations, Title I and Title II, Part A funds may be used jointly for this purpose.

Funding for training of paraprofessionals can also be found in Title VII, the Indian, Native Hawaiian, and Alaska Native Education program [*Section 7114(b)(5)*].

**K-13. Does Section 9501(b)(3)(B) require LEAs to expend a set portion of their funds on professional development activities, or does Section 9501(b)(3)(B) provide a kind of “hold-harmless” provision that applies only to services for private school teachers?**

An LEA is not required to spend a specific amount of its Title II, Part A funds on professional development activities. The “hold-harmless” provision of Title IX, Section 9501 (see items P-2 and Q-2) refers to funds for professional development activities that the LEA must make available for the benefit of private school teachers and other appropriate educational personnel, and provides that Title II, Part A funds that the LEA sets aside for professional development for private school teachers and these other staff must be equal to that set aside for public school teachers and staff on a per-pupil basis.

For purposes of determining the amount of Title II, Part A funds that an LEA must make available for equitable services to private school teachers and other appropriate staff, the LEA uses at least (1) the amount of Title II, Part A funds it is spending that year for professional development, or (2) the total amount it spent for professional development with fiscal year 2001 funds it received under (a) the

former Eisenhower Professional Development program and (b) the former Class-Size Reduction program. This provision governs the amount of Title II, Part A funds the LEA must use for services to private school teachers and staff. It does not compel an LEA to spend any of its Title II, Part A funds on professional development for public school teachers and staff. The LEA makes this determination based on the local needs assessment [Section 9501(b)(3)(B.).

**K-14. Does the law limit the percentage of Title II, Part A funds an LEA may spend on class size reduction activities?**

An LEA needs to focus on two important facts: (1) it will be held accountable for the academic achievement of all its students, and (2) it must have a plan in place for ensuring that all teachers in core academic areas are highly qualified by the end of the 2005-2006 school year.

While LEAs have flexibility to determine how best to use their Title II, Part A funds to secure a high-quality teaching force with the knowledge and skills to enable all students to achieve academically, the law [Section 2122(b)(5)] requires that the LEA describe how it is meeting the professional development needs of its teachers and principals with the Title II, Part A funds it receives. Therefore, the law anticipates that unless an LEA can demonstrate that its teachers and principals have no professional development needs, the LEA will include professional development in whatever mix of activities it decides to support with Title II, Part A funds.

**K-15. Suppose that a State requires all teachers to participate in a minimum number of in-service professional development days each year. Would an LEA's use of Title II, Part A funds to pay for some of this State-mandated professional development in order to free up local funds for other discretionary district initiatives violate the statute's supplement, not supplant requirement?**

Yes. The program's supplement, not supplant provision requires that Title II, Part A *Improving Teacher Quality State Grants* funds be used only to supplement the educational program activities provided with State and local funds. As noted in the answer to A-5, this provision prohibits an LEA from using Title II, Part A funds to pay for activities that, in the absence of these program funds, would be provided with State and local funds.

Title II, Part A funds may be used to fund only the professional development activities that supplement those mandated by State (or local) law (and, of course, also supplement those discretionary professional development activities that the district would fund in the absence of Title II, Part A funding).

**K-16. If a State agency for teacher certification requires a specific number of hours of professional development every five years for teachers to maintain their certification, may Title II, Part A funds pay for the cost of professional development activities that count toward this requirement?**

Yes, so long as in the absence of Title II, Part A funds State or local funds would not otherwise be used to pay for this professional development. The fact that, in prior years, an LEA has used State or local funds to enable its teachers to pay the costs of meeting for this requirement may be strong evidence that it would do so in the absence of Title II, Part A funds.

**K-17 May Title II, Part A funds be used to pay the salaries of teachers who provide instruction in pull-out programs?**

No. The law only permits an LEA to pay teacher salaries when needed for “class size reduction.” This term refers to the reduction of the size of a class on a full-time basis, not a reduction in the size of a class during times when a portion of the class is removed for special group instruction.

**K-18. May an LEA use Title II, Part A funds to pay the salary of a highly qualified replacement teacher where the regular classroom teacher is on sabbatical?**

Yes.

**K-19. May an LEA use *Improving Teacher Quality State Grants* funds both to (1) pay the costs of State tests required of new teachers to determine whether they have subject matter competence, and (2) to assist them in meeting State certification requirements?**

Yes.

**K-20. What kinds of leadership efforts might LEA officials undertake to ensure that their use of Title II, Part A funds reflects a strong local agenda that promotes significant improvements in teacher quality?**

While State (and Federal) leadership is important, LEA officials play an immediate and critical role in promoting needed improvement in the kinds of effective teaching that is needed to facilitate increased student achievement of all students. Their schools, after all, are where teaching and learning occur. LEA officials can exercise needed leadership in such key ways as:

1. Ensuring that the LEA conducts an effective assessment of the district’s needs for professional development and hiring, through meaningful consultation with teachers of all grades and subject areas, particularly teachers in high-need schools, and others;
2. Ensuring that the results of this needs assessment drive the development of sound multi-year program plans that (a) include teacher mentoring and

incentives, as well as provision of professional development in subject-matter content and effective instructional strategies that is based on a review of scientifically based research, and (b) focus particular attention on addressing the needs of students who are at highest risk of failing to meet the State's academic standards;

3. Incorporating objective benchmarks for success and clear statements of desired outcomes into the LEA's multiyear plan;
4. Continuously examining standards, assessments, curricula, and teaching practices to ensure that they fit together;
5. Instituting merit pay programs, tenure reform, financial incentives, special mentoring help, and other means to (a) make teaching in the district attractive to mid-career professionals and others with special knowledge, skills, and enthusiasm, and (b) encourage the district's most effective teachers not only to stay in the district, but to teach in its highest-need schools;
6. Instilling a strong commitment to professionalism among teachers, principals, and other school and district staff and actively promoting the importance of strong school leaders; and
7. Creating a strong community expectation that the students and their schools can succeed, and a strong expectation among all school and district staff that all teachers will have the subject matter knowledge and teaching skills they need to enable each of their students to succeed.

**K-21. May Title II, Part A funds be used to pay the costs of teachers' or principals' advanced degrees? If so, are there any limitations on the coursework that may be paid for with Title II, Part A funds?**

So long as paying these costs to help a teacher or principal earn an advanced degree is consistent with the results of the local assessment of professional development and hiring needs, and in paying these costs the LEA would not thereby be supplanting non-Federal funds that would otherwise be available to pay for them, Title II, Part A funds may be used for this purpose. Presumably, in choosing to so use Title II, Part A funds, an LEA would want (1) the degree sought to be in the core academic field that a teacher is or will be teaching (or in a field that a principal would need to study), (2) to have confidence that the subject matter courses to be taken complement State academic and student achievement standards, and (3) to know that any methods courses the teacher or principal take would help the teacher or principal become more effective in improving student academic achievement and, in the case of a current or aspiring principal, to become an effective instructional and school leader.

**K-22. May an LEA use program funds specifically to recruit paraprofessionals and teachers from populations that reflect the diversity of the student population or from populations underrepresented in the teaching profession?**

Yes. Funds also may be used to pay the reasonable and necessary expenses that these paraprofessionals and teachers incur in obtaining certification through alternative route programs.

**K-23. May supplies or instructional materials used as part of professional development activities be purchased with *Improving Teacher Quality State Grants* program funds?**

Yes, but only if the expenditures, like any costs paid for by Federal program funds, are reasonable and necessary to carry out these activities. While Title II, Part A funds may be used to purchase materials and supplies used in professional development activities, including the materials (such as a graphing calculators) that a teacher will need in order to apply the professional development in a classroom setting, Title II, Part A does not permit program funds to be used to purchase materials and supplies (*e.g.*, graphing calculators) that each student would need to take advantage of the professional development. (Other ESEA funds, most notably Title V, Part A funds, however, may be used for this purpose.)

**K-24. Does Title II, Part A require an LEA to use a competitive process in selecting individual teachers for merit pay, pay differential, or other monetary incentives?**

No. Consistent with State law (and the relevant terms of any collective bargaining agreements), an LEA may determine the type of selection process it will use. However, in keeping with the purpose of Title II, Part A and NCLB as a whole, an LEA should consider developing and using a method for selection that is linked to a teacher's or principal's ability to demonstrate measurable increases in student academic achievement.

**K-25. Suppose an LEA chooses to use Title II, Part A funds to award a new or existing teacher or principal a lump sum incentive or to pay the costs of this individual's certification or advanced degree. What can an LEA do to ensure that, after receiving the award or free tuition, the teacher or principal fulfills a commitment to continue working in the district rather than leaving for another job?**

Neither the Title II, Part A statute nor other Federal law contain any provisions that govern this situation. However, to protect the Title II, Part A program's investment in the teacher or principal, an LEA might consider, for example, having the teacher or principal sign a binding contractual agreement to repay all or part of the funds the LEA has provided in the event that the teacher or principal does not maintain employment in the district for a specified period of time.

**K-26. May an LEA use Title II, Part A funds to pay out-of-area recruitment costs and moving expenses that may be needed in order to recruit and relocate new teachers?**

Yes. There are circumstances under which the use of Title II, Part A funds to pay out-of-area travel and relocation costs would be reasonable and necessary in order to recruit individuals that the LEA would want to hire to meet their teacher shortage needs. To the extent that out-of-area recruitment itself is reasonable and necessary, relocation costs may be paid as a stipend or financial incentive if, as with any cost the program would assume, they themselves are reasonable and necessary.

**K-27. The statute provides that an LEA may use Title II, Part A funds to carry out “teacher advancement initiatives that promote professional growth and emphasis on multiple career paths such as paths to becoming a career teacher, mentor teacher, or exemplary teacher” [Title II, Section 2123(a)(8)]. What does this mean, and why might this use of Title II, Part A funds be important?**

In some cases, the only real career advancement option for teachers is to become school principals or LEA administrators. This leaves fewer excellent, experienced teachers working directly with children in the classroom. Multiple career paths for teachers provide professional opportunities to advance their careers without having to leave the classroom. For example, an LEA could establish a system whereby teachers could opt to pursue one of a variety of career paths, such as (1) a career teacher, staying in the classroom with traditional instructional duties, (2) a mentor teacher, staying in the classroom but taking on additional duties such as mentoring first year teachers and receiving additional pay for these duties, or (3) an exemplary teacher, one who has a distinguished record of increasing student academic achievement, taking on additional duties of training other teachers to do the same, and receiving additional pay for these duties.

LEAs are free to develop other approaches that fit their needs. The bottom line is to find ways to encourage teachers to advance their careers as teachers, rather than by becoming school principals or LEA administrators.

## **L. FLEXIBILITY PROVISIONS**

**L-1. How do the ESEA flexibility provisions affect the *Improving Teacher Quality State Grants* program?**

The flexibility provisions are described in greater detail in **APPENDIX D** and on the Department’s website at <http://www.ed.gov/offices/OESE/esea/index.html>.

**L-2. Regarding the new ESEA flexibility provisions, may LEAs use 50 percent of their Title II, Part A funds for other Federal programs?**

Under the transferability and flexibility authority [*Title VI, Sections 6121 through 6123*], an LEA may transfer up to 50 percent of certain other funds into the *Improving Teacher Quality State Grants* allocation. An LEA may also transfer up to 50 percent of its *Improving Teacher Quality State Grants* funds to certain other programs. (For more information, go to: <http://www.ed.gov/flexibility/>.)

However, there are special transferability rules governing LEAs identified for improvement [*Section 1116(c)*] or subject to corrective action [*Section 1116(c)(9)*]. An LEA identified for improvement under section 1116(c) may transfer not more than 30 percent of the funds allocated to it for a fiscal year. An LEA in corrective action may not take advantage of the transferability authority. (For more information about the transferability flexibility authority, see Appendix D.)

#### **IV. STATE AGENCY FOR HIGHER EDUCATION (SAHE) –FUNDED PARTNERSHIPS**

##### **M. GENERAL ISSUES**

**M-1. What is the purpose of the SAHE component of Title II, Part A, *Improving Teacher Quality State Grants* program?**

The SAHE administers a portion of Title II, Part A funds to make competitive subgrants to eligible partnerships comprised of at least institutions of higher education (IHEs) and high-need LEAs. (See also question O-1 below.) The partnerships use the funds to conduct professional development activities in core academic subjects in order to ensure that highly qualified teachers, paraprofessionals, and (if appropriate) principals have subject matter knowledge in the academic subjects they teach, or in computer-related technology to enhance instruction. The SAHE must work in conjunction with SEA.

**M-2. How much of the State's *Improving Teacher Quality State Grants* allocation does the SAHE receive for both the competitive grants awards and for administration?**

The SAHE receives a grant that is 2.5 percent of the State's allocation after one percent of the State's grant is deducted to be shared by the SEA and SAHE for administration and planning. The SAHE also receives a portion of the one percent administrative set-aside that is, absent an agreement with the SEA to the contrary, the greater of (1) the amount of FY 2001 funds it received for administration under the former Eisenhower programs, or (2) five percent of the funds available each year for competitive subgrants. (See also question D-4 of this document.)



**M-3. Does the Department make separate grant awards to SAHEs?**

Yes, the Department will make separate awards to both the SEA and SAHE after reviewing and approving the State's application in accordance with the requirements of Section 2112 of ESEA. (See also question D-4 of this document.)

**M-4. Will the Department make separate awards to the SEA and SAHE for administration, or include these amounts in the two agencies' awards?**

For the Title II, Part A State allocations, two awards will be sent: one to the SEA and one to the SAHE. The award to the SEA would list the dollar amount for administration and the dollar amount that includes funds for the State-level activities and funds for the LEAs' subgrants.

The award to the SAHE would list the dollar amount for administration and the dollar amount for the competitive partnership grant program.

**M-5. Section 9101(24) states that an "institution of higher education" is defined in Section 101(a) of Higher Education Act (HEA). What is that definition?**

The Higher Education Act [HEA, Section 101(a)] defines an "institution of higher education" as an educational institution in any State that:

1. Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
2. Is legally authorized within such State to provide a program of education beyond secondary education;
3. Provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
4. Is a public or other nonprofit institution; and
5. Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is a satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

**M-6. If a SAHE believes that it was not adequately involved in the development of an ESEA State consolidated application, what options are available to it, should it desire to have the State's application amended?**

Section 76.140 of EDGAR requires a State to amend its consolidated application if:

1. There is a significant and relevant change in the information or the assurances in the application, the administration or operation of the application, or the organization, policies, or operations of the State agency that received the grant, and
2. The change materially affects the information or assurances in the plan.

The principal information States were to provide in the consolidated application that concerned SAHE activities was the description of the SAHE's subgrant procedures, which the SEA was to have included in response to instructions for Part 2 of the application. If, for some reason, this information, or any other information in the State's consolidated application that affects SAHE activities, is incorrect, the SAHE should work with the SEA to submit an application amendment. If necessary, the SAHE also may contact the Department's Office of Elementary and Secondary Education to request help in coordinating with the SEA.

**M-7. In the definition of a high-need LEA, one criterion is that the LEA must be one for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line. Where can the relevant poverty information be found?**

The most recent data that are available for the total number of children in poverty (as referenced above) can be found on the Census Bureau Web site at:  
**<http://www.census.gov/housing/saipe/sd97/>**.

This site reports the number of children in poverty for every school district in the United States. Locate the file for the State's data, and find the LEA in question. The sixth column provides the number of children in poverty.

LEA poverty rates referenced in the definition of high-need LEA can be accessed on the Department's Web site at the following address:  
**[www.ed.gov/offices/OESE/reap.html](http://www.ed.gov/offices/OESE/reap.html)**.

See at this address, "Instructions and Tools for Submitting Data," and find "Its Own State Spreadsheet." Column 11 identifies the percentage of an LEA's children from families below the poverty line. These poverty rates are available for LEAs that are included in the National Center for Education Statistics (NCES) Common Core of Data (CCD).

The Department uses these same data to make its own funding allocations, as well as determinations of high-need LEAs for discretionary grant programs that it administers. An LEA not included in the CCD must provide other data, such as the adjusted poverty data that its State used to make its Title I allocations, to demonstrate its eligibility.

**M-8. May a high-need charter school that is an LEA qualify as a high-need LEA partner for purposes of the partnership required for SAHE grants?**

If, under State law, a public charter school is considered to be an LEA and otherwise meets the definition in Section 2101(3) of a “high-need LEA,” it is eligible to be the high-need LEA in a partnership that may receive SAHE funds. Otherwise, a public charter would need to be an additional member of an otherwise eligible partnership (or be a part of an LEA that is a component of the partnership).

**M-9. May a SAHE designate in its Request for Proposals (RFP) who must act as fiscal agent?**

Yes.

**M-10 May a SAHE use Title II, Part A funds reserved for partnership subgrants to support a separate evaluation of subgrantee projects?**

No. Evaluation activities of this type may be supported by the Title II, Part A program only with funds retained for program administration. However, a SAHE could require partnerships applying for subgrants to include provisions for program assessment or evaluations and corresponding cost data in their work plans.

**M-11. What kinds of records must the SEA, SAHE, LEAs, and partnerships keep under the *Improving Teacher Quality State Grants Program*?**

Grantees and subgrantees must keep records that fully show:

1. The amount of funds under the grant or subgrant;
2. How the grantee or subgrantee uses the funds;
3. The total cost of project activities;
4. The share of the cost provided from other sources; and
5. Other records to facilitate an effective audit.

In addition, all grantees and subgrantees are required to keep records to show their compliance with program requirements. Record keeping should permit an “audit trail” beginning with preparation of the application, and should include records to support the application. (See Sections 76.730 and 76.731 of EDGAR.)

**M-12. What reports are required of the IHEs?**

The law does not create any separate IHE reporting requirements. Therefore, an IHE provides reports required by the SAHE under the terms and conditions of the grant.

**M-13. May a regional educational service agency, intermediate educational unit, or similar public agency that is established by the State to provide administrative and technical assistance and support to local school districts be considered eligible to participate in a partnership as a high-need LEA?**

These agencies may be considered LEAs, as the term is defined in Section 9101(26), since the public authorities are “legally constituted within a State for either administrative control, or direction of, or to perform a service for, public [schools] in a city, county, township, school district, or other political subdivision of a state, or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public schools.” If such agencies have a high percentage of teachers who either teach out-of-field or hold emergency, provisional, or temporary certification, they may be considered to be high-need LEAs, and thus would qualify as a member of the SAHE partnership.

**M-14. May a SAHE issue an RFP soliciting partnership applications that target specific needs, focus on particular grades or subject areas, or implement other State priorities?**

Yes. A SAHE may solicit applications through the RFP that respond to defined areas of need. In designing its competitive subgrant procedures, consistent with State law, the SAHE also can propose to give additional weight to those applications that address the stated funding priorities, or reject any applications that do not address particular areas of focus.

Provided that all information is available to each potential applicant, the SAHE may want to provide technical assistance to IHEs in developing applications that address these needs. This assistance might take the form of workshops, review of pre-proposal submissions, information on effective models, and clarification of assessment and anticipated outcomes for projects.

**M-15. Section 2132(c) (the “special rule”) states that “no single participant in an eligible partnership may use more than 50 percent of the Title II, Part A funds made available to the partnership....” In general, what does this provision mean?**

The law requires that no single participant in an eligible partnership, (*i.e.*, no single high-need LEA, no single IHE and its division that prepares teachers and principals, no single school of arts and sciences, and no single other partner), may “use” more than 50 percent of the subgrant. The provision does not focus on which partner receives the funds, but which partner directly benefits from them.

### **Example: Correct Use of Funds**

Jefferson University, its College of Education, and its College of Arts and Sciences partner with the Lincoln high-need school district to provide professional development in instructional leadership for 20 principals. Jefferson University's Grants Office receives **100%** of the Title II, Part A funds for the partnership. The Grants Office gives:

- the College of Education **25%** of the funds to use to pay its faculty to deliver professional development in instructional leadership methodologies for 20 principals at Lincoln school district;
- the College of Arts and Sciences **25%** of the funds to use to pay its faculty to deliver professional development content knowledge in instructional leadership for 20 principals at Lincoln School District;
- Lincoln School District **50%** of the funds to use to pay stipends for its principals to participate in the professional development offered by faculty from the College of Education and College of Arts and Sciences at Jefferson University.

In this example no partner uses more than 50% of the funds for its own benefit.

### **Example: Incorrect Use of Funds**

Jefferson University, its College of Education, and its College of Arts and Sciences partner with the Lincoln high-need school district to provide professional development in instructional leadership for 20 principals. Jefferson University's Grants Office receives **100%** of the Title II, Part A funds for the partnership. The Grants Office gives:

- the College of Education **10%** of the funds to use to pay its faculty to deliver a professional development summer course in instructional leadership methodologies for 20 principals at Lincoln school district;
- the College of Arts and Sciences **10%** of the funds to use to pay its faculty to deliver a professional development summer course in instructional leadership content knowledge for 20 principals at Lincoln school district;
- a mentor principal **10%** of the funds to work with the 20 Lincoln school district principals, in their buildings, applying what they learned in the professional development summer courses;
- Lincoln school district **70%** of the funds to pay tuition for the 20 principals to attend the professional development summer courses offered by the

faculty from the College of Education and College of Arts and Sciences at Jefferson University.

In this example one partner uses more than 50% of the funds for its own benefit.

**M-16. May two IHE partners (School of Education and School of Liberal Arts and Sciences) each receive 50 percent of the subgrant funds?**

Yes. However, under Section 2132(c), the issue is not the amount of funds that each partner “receives” but the amount of funds that each partner “uses.” Hence, so long as each of the two divisions of the IHE “uses” 50 percent of the subgrant funds for activities over which it has responsibility (and so directly benefits from the subgrant funds) an IHE fiscal office would not actually need to disburse grant funds to each IHE division (unless, of course, this were the IHE’s normal fiscal procedures).

**M-17. If an IHE receives program funds that teachers would otherwise pay for IHE-sponsored professional development, would those funds figure in as part of the funds “used” by the IHE partner?**

No. Since the tuition assistance is for a teacher’s professional development, the funds may reasonably be attributable to use by the LEA partner that employs the teacher.

Costs associated with developing professional development materials, IHE faculty time, and other expenses that the IHE incurs to conduct the professional development may be treated as funds used by the division of the IHE that bears these costs.

**M-18. If IHE faculty are full-time employees of the IHE, but a percentage of their time and services go to an LEA, which partner is deemed to “use” Title II, Part A funds provided as payment of a portion of faculty salaries spent working for the LEA? If IHE faculty members receive “release time” to serve LEAs, are their salaries attributable to the IHE or to the LEA partner?**

Because the Department has not issued regulations in this area, the subgrantee may attribute these salary costs to the partners in any manner that is reasonable. However, if the subgrant is paying for salary costs that otherwise would be paid by the IHE, it would seem to make sense to view the subgrant used to pay this salary as used by the division of the IHE in which the individuals are employed.

Moreover, while faculty release time (*i.e.*, a reduced IHE teaching load) may permit faculty members to provide services to the LEA and its teachers, program funds are still paying for a portion of faculty members’ salaries. Therefore, here too, it seems reasonable that these Title II, Part A funds are best attributable to the division of the IHE that employs the faculty.

**M-19. If a full-time faculty member is on a 9- or 10-month contract, can a special summer faculty salary be attributed to the LEA partner, if the summer work is for the LEA?**

Yes. The situation differs from those discussed in the preceding question because the IHE would not otherwise pay the faculty members a salary for these summer months. Hence, the benefit derived from this payment would not accrue to the IHE.

**M-20. Are the salaries of teachers that a subgrantee's project hires to work as mentors to other teachers attributable to the LEA? Or to the IHE, since the IHE pays their salaries?**

While the IHE (should it be the partnership's fiscal agent) may pay the salaries of these mentor teachers, these individuals presumably are working at, and for, the LEA. Therefore, the Title II, Part, A funds used to pay these salaries may reasonably be considered to have been "used" by the LEA.

**M-21. Some IHEs require consultants hired under a Federal grant to be treated as IHE employees, rather than as contractors. If these consultants perform work at an LEA, which partner should be assigned the costs of the consultant?**

The Department has not regulated in this area. Therefore, the subgrantee may attribute these costs to the partners in any manner that is reasonable. While the contractor costs could reasonably be attributable to the IHE, which is procuring the contractor, assuming that the IHE is not benefiting from the use of the contractor we also believe one could reasonably attribute these costs to the LEA.

**M-22. May reimbursements made to IHE employees for the costs of traveling to LEA sites be considered to be "used" by the LEA partner?**

Yes.

**M-23. Are indirect costs of the partnership's fiscal agent treated as part of the maximum allowable 50 percent of Title II, Part A funds that the partner may use?**

In general, indirect costs reflect general administration and overhead that cannot easily be charged as direct program costs of the programs or activities they benefit, and that are borne by a party as a result of activities it charges as direct costs. While a portion of one partner's direct costs (*e.g.*, salaries of mentor teachers paid by the IHE fiscal agent) may be considered as used by another partner (in this case, the LEA), the IHE and not the LEA is benefiting from being able to charge the indirect costs. Hence, subgrant funds used to pay indirect costs are attributable to the partner that "uses" the corresponding funds as direct costs.

**M-24. Are in-kind contributions counted as part of a partner’s 50 percent maximum?**

No.

**M-25. Section 2132(b) requires the SAHE to ensure either that its subgrants are “equitably distributed by geographic area within a State” or that “eligible partnerships in all geographic areas within the State are served through the subgrants.” What do these phrases mean?**

The meaning of these phrases is left to reasonable SAHE interpretation.

**M-26. May a not-for-profit (NFP) agency be the named applicant and fiscal agent for a subgrant so long as the partnership contains the three statutorily required partners?**

Yes, provided SAHE procedures permit this.

## **N. COMPETITIVE PROCESS**

**N-1. Who is eligible to receive a competitive award from the SAHE?**

Eligibility is limited to partnerships comprised at a minimum of (1) a private or State IHE and the division of the institution that prepares teachers and principals; (2) a school of arts and sciences; and (3) a high-need LEA (see below).

An eligible partnership also may include another LEA, a public charter school, an elementary school or secondary school, an educational service agency, a nonprofit educational organization, another IHE, a school of arts and sciences within that IHE, the division of that IHE that prepares teachers and principals, a nonprofit cultural organization, an entity carrying out a pre-kindergarten program, a teacher organization, a principal organization, or a business.

A high-need LEA is defined as an LEA:

- (A)(i) that serves not fewer than 10,000 children from families with incomes below the poverty line; or
- (ii) for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and
- (B)(i) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or
- (ii) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing. *[Section 2102]*



**N-2. How does the SAHE determine its priorities for soliciting competitive subgrant applications?**

Working in conjunction with the SEA, the SAHE identifies its priorities and criteria for funding applicants and then publishes what is commonly referred to as a “request for proposal” (RFP). The SAHE’s priorities are guided by the “State plan” developed under Section 2112 of the ESEA (see questions E-5 and E-6 of this guidance) that identifies Statewide professional development needs and priorities for developing, supporting, and retaining a high-quality teaching force. (See also Section II of this document.)

**N-3. Are there any Federal requirements that govern how SAHEs must conduct the competition?**

Yes. State law generally determines the procedures for announcing and publicizing the competition and for reviewing and awarding program funds. However, the Education Department General Administrative Regulations (EDGAR) do contain a few basic requirements that the SAHE (and any State agency that administers a Federally funded competitive grant program) must follow. For example, Sections 76.770 and 76.400(c) of EDGAR require the SAHE to have procedures for reviewing and approving subgrant applications that include ensuring that the applicants meet program requirements.

Under these requirements, SAHEs must conduct a competition that (1) provides fair and equal notice to all potential applicants, including all private and public IHEs in the State, (2) describes the kinds of applications that the SAHE is interested in reviewing, (3) identifies the objectives of the program, (4) identifies any assistance the SAHE will provide in the preparation of the application, and (5) states the procedures to be used to select applications for funding. SAHEs must also ensure that persons reviewing the applications are qualified and have no conflict of interest in the funding decisions [Section 2132(a)].

**N-4. Aside from providing all applicants with the information they need to prepare their applications, are there any other requirements regarding the statewide distribution of these subgrants?**

Yes. The SAHE must ensure either that subgrants are equitably distributed by geographic area within a State or that subgrants serve eligible partnerships in all geographic areas within the State [Section 2132(b)].

**N-5. Is there any particular format or content that a SAHE must incorporate into its information for prospective applicants?**

No. A SAHE may require applicants to include any information on proposed activities, expenditures, and other matters that are relevant to the selection of award recipients.

**N-6. Is there a maximum project period for SAHE grants?**

No, although the project period cannot be longer than the period for which the ESEA is currently authorized. Moreover, project periods, which are established by the SAHE when it awards the subgrants, may vary depending on the kind of activity a subgrant award is funding.

The eligible partnerships must obligate funds before the end of the period for which funds are available (27 months after July 1 of the year the SAHE receives its allocation from the Department).

**N-7. Does the definition of an “eligible partnership” in Section 2131 permit a community college to be part of a partnership that is eligible to receive a Title II, Part A subgrant?**

Yes, but it may be a lead partner only if--

1. The community college has a division that prepares teachers and principals [Section 2131(1)], and
2. The grant competition that the SAHE’s RFP announces permits a community college to serve as the lead partner.

Any community college may be an additional, non-principal partner of any partnership.

**N-8. May community colleges access Title II, Part A funds to create alternative certification programs or to provide professional development for teachers?**

Creation of alternative certification programs is not a permissible SAHE use of Title II, Part A funds.

A community college may receive SAHE funds to provide professional development provided that it has a division that prepares teachers and principals [Section 2131(1)] and that the notice from the SAHE inviting grant proposals permits a community college to provide professional development as part of the project.

**N-9. May a partnership propose to include as one of the three principal partners a 4-year institution that is not located in the SAHE’s state?**

Yes.

**N-10. May teachers or principals in low-performing schools not located in a high-need LEA participate in a SAHE project?**

Yes. The statutory requirement that a high-need LEA be a part of every partnership that receives a SAHE award ensures that all projects will focus on the

needs of teachers, principals, and highly qualified paraprofessionals in high-need LEAs. Thus, a SAHE may require, through the RFP, that all funded activities focus on low-performing schools of those LEAs. However, so long as a high-need LEA is a principal partner, low-performing schools in districts that do not meet the definition of “high need” may be additional partners [Section 2131(1)(B)], and their teachers and principals may participate in the project.

**N-11. May a SAHE limit funding to proposals with a math and/or science focus, or must the professional development activities that they support include other academic disciplines?**

A SAHE determines requirements for the Title II, Part A subgrant competition and awards based on discussions with the SEA [Section 2132(a)]. These discussions presumably will center on how the SAHE can support projects that will have the greatest impact on helping LEAs – and particularly high-need LEAs – ensure that all teachers are highly qualified and have the knowledge and teaching skills they need to help all students achieve to high standards. Whether the SAHE, in conjunction with the SEA, decides that funding should focus only on professional development in mathematics and/or science is a State decision.

The focus of any SAHE-funded pre-service or in-service activities should be on the core academic areas: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Title IX, Part A, Section 9101(11)].

**N-12. May a SAHE devote some Title II, Part A funds to pre-service teacher training?**

Yes, but only if the project creates:

1. School-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty [Title IX, Section 9101(34)(B)(i)]; or
2. Programs to enable paraprofessionals to obtain the education necessary for those paraprofessionals to become certified and licensed teachers [Title IX, Section 9101(34)(B)(ii)].

Both of these activities are “professional development,” and so may be the focus of SAHE subgrants.

**N-13. How else might a SAHE use Title II, Part A subgrants to influence improvement in preservice teacher training programs?**

In addition to the permissible uses cited in N-12, a SAHE may exercise leadership in other ways, such as:

1. Conditioning a partnership's receipt of a subgrant on its submission of specific information from the IHE's administration to confirm that the school of education (or entity that administers the teacher preparation program) and the school of arts and sciences will imbed the professional development into the curriculum the teacher preparation program offers, or
2. Require partnerships applying for subgrants to offer a work plan and commitment of IHE funds (or provide a competitive preference to those that do) for improving specific aspects of the teacher preparation program – such as ensuring that teaching candidates demonstrate content knowledge of the subject(s) they intend to teach, as well as how such content knowledge supports the State's academic content standards.

**N-14. In some cases, individuals who are enrolled in teacher education programs will “student teach” in K-12 schools that are part of a SAHE-funded partnership. May Title II, Part A funds be used to enable these individuals to participate in professional development activities in the schools where they are teaching?**

Yes.

## **O. SAHE-FUNDED ACTIVITIES**

**O-1. What activities may a SAHE fund with its share of *Improving Teacher Quality State Grants* funds?**

Consistent with the priorities and criteria it has announced for selection of grant recipients, the SAHE must make awards of *Improving Teacher Quality State Grants* funds to support the following types of partnership activities to enhance student achievement in participating high-need LEAs:

1. Professional development activities in core academic subjects to ensure that:
  - a. Teachers and highly qualified paraprofessionals (and, when appropriate, principals) have subject matter knowledge in the academic subjects that the teachers teach (including knowledge of how to use computers and other technology to enhance student learning); and
  - b. Principals have the instructional leadership skills to help them work more effectively with teachers to help students master core academic subjects.
2. Development and provision of assistance to LEAs and to their teachers, highly qualified paraprofessionals, or school principals, in providing sustained, high-quality professional development activities that:

- a. Ensure that those individuals can use challenging State academic content standards, student academic achievement standards, and State assessments to improve instructional practices and student academic achievement;
- b. May include intensive programs designed to prepare individuals to provide instruction related to the professional development described in the preceding paragraph to others in their schools; and
- c. May include activities of partnerships between one or more LEAs, one or more of the LEAs' schools, and one or more IHEs for the purpose of improving teaching and learning at low-performing schools. (For the definition of "low performing school," see *APPENDIX A*.)

Note: The law requires any partnership receiving both a subgrant from a SAHE and an award under the Partnership Program for Improving Teacher Preparation in Section 203 of Title II of the Higher Education Act (HEA) to coordinate activities conducted under the two awards.

**O-2. What kinds of expenditures may a SAHE pay with its administration and planning funds?**

The SAHE may use those funds to pay the costs it incurs related to such activities as helping to conduct an assessment of State needs for the overall State plan, designing the RFP, paneling those who will review grant applications, and administering, monitoring, and providing technical assistance to, and evaluation of, SAHE-funded projects.

**O-3. May a SAHE use funds reserved for administration to contract with public or private agencies for goods and services to help it to administer its program?**

Yes, provided that the SAHE retains overall responsibility for the administration of these projects.

**O-4. Must members of the partnership receiving a SAHE subgrant use a "restricted indirect cost rate" in calculating the maximum amount of indirect costs that may be charged to their awards?**

No. The *Improving Teacher Quality State Grants* program does not require these partnerships to use program funds only to supplement and not supplant non-Federal funds that otherwise would be used for funded activities. Because the restricted indirect cost rate (see Section 76.563 of EDGAR) applies only where a "supplement not supplant" requirement is in effect, partnership members may apply a larger, unrestricted indirect cost rate. (On the other hand, the SAHE, as well as the SEA, must use the restricted indirect cost rate because Section 2113(f) of the ESEA provides that a supplement, not supplant requirement applies to funds that they receive.)

**O-5. In establishing application selection criteria or funding priorities, may the SAHE preclude members of the partnership from charging any indirect costs to the subgrant?**

No. EDGAR and applicable Office of Management and Budget (OMB) cost principles permit grant recipients to charge indirect costs to their grants. However, should it desire to limit the amount of funds that members of a partnership may charge to indirect costs in order to have more project funds pay for direct services, a SAHE may adopt selection criteria that focus on an IHE's willingness to reduce the indirect costs that it otherwise might claim, or by rule (pursuant to State law) limit the amount of indirect costs or indirect cost rate to a reasonable amount.

**O-6. May the SAHE establish, as a selection criterion to be used in reviewing subgrant applications, the willingness of the partnership members to limit the amount of their administrative costs?**

Yes. As with the case of limiting charges for an IHE's indirect costs, the SAHE may establish selection criteria that give preference to applicants that agree to charge lower levels of administrative costs. Moreover, as with every other aspect of the IHE's proposed use of funds, the SAHE should negotiate budgets with applicants selected for awards to ensure that all administrative costs are reasonable and necessary for the proper implementation of the grant.

**O-7. When the SAHE makes multi-year awards, is it responsible to determine annually whether the partnership's progress in carrying out its activities warrants issuance of annual continuation awards?**

Yes. The SAHE is responsible for:

1. Ensuring that the recipient is effectively managing the day-to-day operations of subgrant-supported activities;
2. Monitoring subgrantees to ensure compliance with program requirements and that performance goals are being achieved; and
3. Providing fiscal control and fund accountability over all funds that it awards (or obligates itself) to ensure their proper use.

A SAHE that determines that a partnership's Title II, Part A-supported activities are not complying either with the Title II program requirements or the IHE's approved application should take action either to (1) bring the project into compliance, or (2) terminate the project rather than issue a continuation award.

**O-8. Do the ESEA Title IX requirements on services to private school teachers apply to activities that IHE-LEA partnerships conduct under competitive awards they receive from the SAHE?**

Yes. The IHE-LEA partnerships need to ensure that services are offered on an equitable basis to public and private school teachers since the requirements apply to grants of “financial assistance” provided to an LEA “or another entity” [Section 9501(b)(1)].

**O-9. What role should scientifically based research play in SAHE-funded activities?**

It is imperative that SAHEs demonstrate leadership in identifying scientifically based professional development that is effective in increasing student academic achievement. The thrust of SAHE partnerships should be the implementation of strategies based upon this body of research.

For example, the Department expects that reading instruction for prospective teachers will be based upon the scientifically based research identified for the Reading First program. (For more information, go to <http://www.ed.gov/offices/OESE/readingfirst/>.)

**V. PRIVATE SCHOOL PARTICIPATION** [Section 9501 – 9506]

**P. GENERAL ISSUES**

**P-1. Are private school teachers, principals, and other educational personnel eligible to participate in the Improving Teacher Quality State Grants program?**

Yes. Under the *Improving Teacher Quality State Grants* program, private school teachers, principals, and other educational personnel are eligible to participate to the extent that the LEA uses funds to provide for professional development for teachers and others. Funds awarded to SEAs and LEAs under *Improving Teacher Quality State Grants* are subject to the uniform provisions of Section 9501 of the ESEA (*Participation by Private School Children and Teachers*). The statute requires LEAs to provide private school children, their teachers, and other educational personnel with educational services on an equitable basis and in a timely manner.

The requirement for the equitable participation of private school teachers and other educational personnel applies only to the LEA’s *Improving Teacher Quality State Grants* funds to the extent that the LEA uses these funds for professional development of its teachers and other staff. However, this flexibility is constrained by the requirement described below.

**P-2. How does an LEA determine the amount required for equitable services to private school teachers and other educational personnel?**

Under Title II, Part A, LEAs are required to provide equitable services for private school teachers and other educational personnel only to the extent that they use the funds for professional development.

For purposes of determining the amount of Title II, Part A funds that an LEA must make available for equitable services to private school teachers and other educational personnel, the statute has the LEA assume that it is spending at least as much for professional development under Title II, Part A as it did in FY 2001 under the Eisenhower Professional Development and Class-Size Reduction programs. See Title IX, Section 9501(b)(3)(B) of ESEA.

**P-3. What are the obligations of the LEA regarding the participation of private school teachers in professional development programs funded under this program?**

As part of the application process, LEAs must assure that they will comply with Section 9501 of ESEA (regarding participation by private school children and teachers).

LEAs must consult with appropriate private school officials during the design, development, and implementation of the professional development program on such issues as how the needs of children and teachers will be identified; what services will be offered; how, where, and by whom the services will be provided; how the services will be assessed and how the results of the assessment will be used to improve those services; the size and scope of the equitable services; the amount of funds available for those services; and how and when the LEA will make decisions about the delivery of services. Consultation on the delivery of services must include a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers [Section 9501].

**P-4. What is meant by “equitable participation?”**

Participation is considered to be equitable if these agencies and institutions: (1) assess, address, and evaluate the needs and progress of both groups of teachers in the same manner; (2) provide, in the aggregate, approximately the same amount of training, and where appropriate, instruction, to teachers with similar needs; (3) spend an equal amount of funds to serve similar public and private school teachers; and (4) provide private school teachers with an opportunity to participate in *Improving Teacher Quality State Grants* program activities equitable to the opportunity provided public school teachers.



**P-5. What happens if an LEA chooses not to participate in the *Improving Teacher Quality State Grants* program and a private school in that LEA expresses a desire to do so?**

There is no authority for allowing non-public schoolteachers to receive services if the LEA elects not to participate in the program. Nor do program statutes authorize an SEA to reallocate funds to another LEA for the purpose of allowing participation of teachers at a private school located in a nonparticipating LEA.

**Q. ELIGIBLE ACTIVITIES**

**Q-1. What are some of the eligible activities under this program in which private school teachers and other educational personnel may participate?**

As with any activity that the LEA carries out for public school teachers, activities supported with *Improving Teacher Quality State Grants* funds that benefit private school teachers must meet the requirements of the Title II statute. For example, activities to be carried out for private school personnel must be based on a review of scientifically based research and must be expected to improve student academic achievement.

Professional development activities may include:

1. Improving the knowledge of teachers, principals, and other educational personnel in one or more of the core academic subjects and in effective instructional teaching strategies, methods, and skills;
2. Training in effectively integrating technology into curricula and instruction;
3. Training in how to teach students with different needs, including students with disabilities or limited English proficiency, and gifted and talented students;
4. Training in methods of improving student behavior, identifying early and appropriate interventions, and involving parents more effectively in their children's education;
5. Leadership development and management training to improve the quality of principals and superintendents; and
6. Training in the use of data and assessments to improve instruction and student outcomes.

**Q-2. Must the expenditures that the LEA provides for professional development for private school teachers be equal on a per-pupil basis?**

Title IX, Section 9501 of ESEA requires that Title II, Part A services for professional development that are provided to private school teachers and other educational personnel be equitable in comparison to those provided to public school teachers, and that these services be provided in a timely manner. It also requires that funds provided for professional development for private school teachers be equal on a per-pupil basis. Hence, on a per-pupil basis, expenditures for professional development for public and private school teachers must be equal. However, if the LEA does not spend at least as much for professional development in any year under Title I, Part A as it did in FY 2001 under the former Eisenhower program and Class Size Reduction programs, see question P-2.

**Q-3. How does the LEA ensure that it is providing equitable services?**

In order to ensure that it is providing equitable professional development services to private school teachers and other educational personnel, the LEA should consider ways to:

1. Assess, address, and evaluate the needs and progress of both public and private school teachers;
2. Spend an equal amount of funds per student to serve the needs of public and private school teachers and their students;
3. Provide private school teachers with an opportunity to participate in Title II activities equivalent to the opportunity provided public school teachers; and
4. Offer educational services to private school teachers that are secular, neutral, and non-ideological [Section 9501(a)(2)].

**Q-4. Does the professional development program for private school teachers have to be the same as the professional development program for public school teachers?**

No. Consultation and coordination are essential to ensuring high-quality, sustained, intensive, and classroom-focused professional development activities for private school teachers. LEAs must assess the needs of private school teachers in designing the professional development program for private school teachers. If the professional development needs of the private school teachers are different from those of public school teachers, the LEA, in consultation with private school representatives, should develop a separate program.

**Q-5. May funds be used to support the acquisition of advanced degrees by private school teachers?**

Yes. An LEA may use *Improving Teacher Quality State Grants* funds to support a teacher's acquisition of an advanced degree to the extent that doing so is consistent with the results of its assessment of the needs of private school

teachers. The financial support must be for graduate courses that would enable the teacher to provide more effective instruction.

**Q-6. May funds be used to pay stipends to private school teachers participating in an *Improving Teacher Quality State Grants* professional development program?**

Yes. *Improving Teacher Quality State Grants* funds may be used to pay for stipends for private school teachers. The use of funds for stipends must be reasonable and necessary. For example, if the professional development activity is conducted during after-school hours or in the summer, stipends may be needed to compensate teachers for their participation outside their regular employment hours. Stipends for private school teachers must be available on the same basis as those for public school teachers *and* the stipends must be paid directly to the private school teachers for their own use and not to the private school.

**Q-7. May *Improving Teacher Quality State Grants* funds be used to pay for substitute teachers who replace teachers from private schools while they attend professional development activities?**

No. *The Improving Teacher Quality States Grants* program does not authorize payments to private schools to be used for hiring substitute teachers.

**Q-8. May administrative costs be considered in determining the per-teacher expenditures for private school teachers?**

No. LEAs pay the costs of administering professional development programs for public and private school teachers and other educational personnel “off the top” of their allocations. This is calculated before determining how much of the *Improving Teacher Quality State Grants* funds are to be made available for professional development of public and private school teachers and other personnel.

**Q-9. May *Improving Teacher Quality State Grant* funds be used to pay any portion of a private school teacher’s salary or benefits?**

No. While LEAs must set aside an amount of Title II, Part A funds for the equitable participation of private school teachers in professional development activities (see items P-2 and Q-2), funds may not be used to pay or subsidize any portion of a private school teacher’s salary or benefits.

## **R. LEAS AND PRIVATE SCHOOLS**

### **R-1. When must an LEA consult with appropriate private school officials?**

To ensure timely and meaningful consultation, an LEA must consult with appropriate private school officials during the design and development of the proposed programs.

It is important that attention be given to the timing of the consultation so that decisions that affect the opportunities of eligible private school teachers to participate in *Improving Teacher Quality State Grants* program activities are made only after discussions have taken place. The quality of the consultative process will likely have an effect on the quality of services to private school teachers [Section 9501(c)(3) and (4)].

### **R-2. Must an LEA contact the officials of all private schools every year, even when there have been no recent indications of a desire to participate in the *Improving Teacher Quality State Grants* program?**

Yes. The LEA is required to contact appropriate officials of all private schools within the boundaries of the school district *annually* to determine if they want their teachers to participate in the *Improving Teacher Quality State Grants* program, regardless of whether or not those officials have recently indicated any interest in program participation.

### **R-3. May an LEA require private school representatives to submit an application in order to receive services for the teachers in a private school with *Improving Teacher Quality State Grants* funds?**

LEAs may request documentation, as needed, from private school officials that can help the LEA identify services that may be appropriate to the needs of private school teachers. However, requiring a formal application may, depending upon its form and content, constitute an administrative barrier that is inconsistent with the LEA's responsibility to ensure equitable participation of private school teachers.

### **R-4. What kinds of records should an LEA maintain in order to show that it has met its responsibilities for equitable participation of private school teachers?**

To meet its general record-keeping responsibility, an LEA should document that: (a) representatives of private schools were informed of the availability of *Improving Teacher Quality State Grants* services; (b) the needs of private and public school teachers were identified as part of a district-wide needs assessment; (c) private school officials were consulted and provided an opportunity for input into the planning of the LEA's program activities; and (d) the LEA designed a project that would permit their equitable participation.

The LEA also should maintain records of its efforts to resolve any complaints made by private school representatives that LEAs that should be serving their teachers are not doing so on an equitable basis.

**R-5. Must the LEAs administer and retain control over the Title II, Part A, *Improving Teacher Quality State Grants* funds used to serve private school teachers?**

Yes. The LEAs must administer and retain control over the funds and, therefore, may not provide program funds directly to private schools. Before determining the amount of funds to be provided for services to private school teachers, an LEA could pay the reasonable and necessary administrative costs of providing those services from its total Title II allocation.

**R-6. May professional development be conducted within private schools?**

Yes, professional development activities may be conducted in the private school facilities.

**R-7. Does the law require that LEAs provide equitable services with *Improving Teacher Quality State Grants* funding only to private “nonprofit” schools?**

Yes. Section 9501(a) requires LEAs to provide equitable services to teachers and students in “private elementary and secondary schools.” NCLB defines “elementary” and “secondary” schools to mean only “nonprofit institutional day or residential school(s)” [Section 9101(18) and (38)].

**R-8. Do private schools have to comply with the “parent’s right to know” requirement in Title I?**

The law states that any LEA and school that “receives [Title I] funds” [Section 1111(h)(6)] must comply with this requirement. Private school students and teachers may receive Title I-funded services, but by law LEAs may not provide private schools with Title I funds. Therefore, the “parent’s right to know” requirement does not apply to them.

**R-9. Are teachers employed with Title I funds who provide services to eligible private school children required to meet the highly qualified requirements?**

Yes. If they are teaching core academic subjects they are held to the same requirements as public school teachers.

## **S. SEAS, SAHES, AND PRIVATE SCHOOLS**

- S-1. Must an SEA provide equitable services to public and private school teachers and other educational personnel in the professional development activities that it supports with *Improving Teacher Quality State Grants* funds reserved for State activities?**

Yes. An SEA must provide equitable services to public and private school teachers and other educational personnel in professional development activities supported by these funds.

- S-2. Do the ESEA Title IX requirements regarding services to private school teachers apply to activities that IHE-LEA partnerships conduct under competitive awards they receive from the SAHE?**

Yes. The IHE-LEA partnerships need to ensure that services are offered on an equitable basis to public and private school teachers since the requirements apply to grants of “financial assistance” provided to an LEA “or another entity” [Section 9501(b)(1)].

## **APPENDIX A:**

### **Definitions**

#### **ARTS AND SCIENCES:**

When referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subjects in which teachers teach; and B) when referring to a specific academic subject, the disciplines or content areas in which an academic major is offered by an organizational unit [*Title II, Part A, Section 2102(1)*].

#### **CHARTER SCHOOL:**

The term “charter school” means a public school that:

1. In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;
2. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
3. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
4. Provides a program of elementary or secondary education, or both;
5. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
6. Does not charge tuition;
7. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;
8. Is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
9. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
10. Meets all applicable Federal, State, and local health and safety requirements;

11. Operates in accordance with State law; and

12. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school [*Title II, Part A, Section 5210(1)*].

**CORE ACADEMIC SUBJECTS:**

The term “core academic subjects means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [*Title IX, Part A, Section 9101(11)*].

**ELIGIBLE PARTNERSHIP:**

This term includes a private or State institution of higher education and the division of the institution that prepares teachers and principals; a school of arts and sciences; and a high-need local educational agency; and may include another LEA, a public charter school, an elementary school or secondary school, an educational service agency, a nonprofit educational organization, another institution of higher education, a school of arts and sciences within such an institution, the division of such an institution that prepares teachers and principals, a nonprofit cultural organization, an entity carrying out a pre-kindergarten program, a teacher organization, a principal organization, or a business [*Title II, Part A, Section 2131*].

**HIGH-NEED LEA:**

An LEA that serves not fewer than 10,000 children from families with incomes below the poverty line; or for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing [*Title II, Part A, Section 2102(3)*].

**HIGHLY QUALIFIED PARAPROFESSIONAL:**

A paraprofessional who has not less than 2 years of experience in a classroom; and post-secondary education or demonstrated competence in a field or academic subject for which there is a significant shortage of qualified teachers [*Title II, Part A, Section 2102(4)*].

**HIGHLY QUALIFIED TEACHER:**

1. When the term “highly qualified teacher” is used with respect to any public elementary school or secondary school teacher teaching in a State, it means that:
  - a. The teacher has obtained full State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing examination, and holds a license to teach in such State, except that when the term is used with respect to any teacher teaching in a public



charter school, the term means that the teacher meets the certification or licensing requirements set forth in the State's public charter school law (*see entry below for the definition of a highly qualified charter school teacher*); and

- i) The teacher has not had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

2. When the term “highly qualified teacher” is used with respect to:

- a. An elementary school teacher who is new to the profession, it means that the teacher has met the requirements of paragraph (A) above, and:
  - i) Holds at least a bachelor's degree; and
  - ii) Has demonstrated, by passing a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum (which may consist of passing a State-required certification or licensing test or tests in reading, writing, mathematics, and other areas of basic elementary school curriculum); or
- b. A middle school or secondary teacher who is new to the profession, it means that the teacher has met the requirements of paragraph (A) above, holds at least a bachelor's degree, and has demonstrated a high level of competency in each of the academic subjects in which the teacher teaches by:
  - i) Passing a rigorous State academic subject test in each of the academic subjects in which the teacher teaches (which may consist of a passing level of performance on a State-required certification or licensing test or tests in each of the academic subjects in which the teacher teaches); or
  - ii) Successful completion, in each of the academic subjects in which the teacher teaches, of an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing.

3. When the term “highly qualified teacher” is used with respect to an elementary, middle, or secondary school teacher who is not new to the profession, it means that the teacher has met the requirements of paragraph (A) above, holds at least a bachelor's degree, and:

- a. Has met the applicable standard in the clauses of subparagraph (B), which includes an option for a test; or
- b. Demonstrates competency in all the academic subjects in which the teacher teaches based on a high objective uniform State standard of evaluation that:
  - i) Is set by the State for both grade appropriate academic subject matter knowledge and teaching skills;

- ii) Is aligned with challenging State academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;
- iii) Provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
- iv) Is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;
- v) Takes into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject;
- vi) Is made available to the public upon request; and
- vii) May involve multiple, objective measures of teacher competency [*Title IX, Part A, Section 9101(23)*].

#### **HIGHLY QUALIFIED CHARTER SCHOOL TEACHER:**

Charter school teachers who teach core academic subjects must comply with any provision in a State's charter school law regarding certification or licensure requirements. A teacher in a charter school does not have to be licensed or certified by the State if the State does not require such licensure or certification. However, teachers of core academic subjects in charter schools must meet the other requirements that apply to public school teachers, including holding a four-year college degree and demonstrating competency in the subject area in which they teach. (See definition above for information on how teachers can demonstrate subject area competence.)

#### **HIGHLY QUALIFIED VOCATIONAL EDUCATION TEACHER:**

Only vocational education teachers who teach core academic courses are required to meet the definition of a highly qualified teacher. The term "core academic subjects" is defined in ESEA as "English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography."

For example, a vocational teacher who teaches a course in Applied Physics for which students receive a science credit must hold a 4-year degree, be licensed or certified by the State, and demonstrate subject matter competence in order to be considered highly qualified. Although the course is taught by a vocational teacher, it is counted as a science credit; therefore, it is considered a core academic requirement and the teacher must meet the definition of a highly qualified teacher.

#### **HIGH QUALITY PROFESSIONAL DEVELOPMENT:**

See the definition for "professional development."

#### **LOW-PERFORMING SCHOOL:**

The term “low-performing school” means an elementary school or secondary school that is identified under Section 1116 of ESEA.

**OUT-OF-FIELD TEACHER:**

A teacher who is teaching an academic subject or a grade level for which the teacher is not highly qualified [*Title II, Part A, Section 2102(5)*].

**PARAPROFESSIONAL:**

A paraprofessional is an individual with instructional duties. Individuals who work solely in non-instructional roles, such as food service, cafeteria or playground supervision, personal care services, and non-instructional computer assistance are not considered to be paraprofessionals for Title I purposes.

**PRINCIPAL:**

The term “principal” includes an assistant principal [*Title II, Part A, Section 2102(6)*].

**PROFESSIONAL DEVELOPMENT:** [*Section 9101(34)*]

The term “professional development:”

1. Includes activities that:
  - a. Improve and increase teachers' knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified;
  - b. Are an integral part of broad schoolwide and districtwide educational improvement plans;
  - c. Give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student academic achievement standards;
  - d. Improve classroom management skills;
  - e. Are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom and are not 1-day or short-term workshops or conferences;
  - f. Support the recruiting, hiring, and training of highly qualified teachers, including teachers who became highly qualified through State and local alternative routes to certification;
  - g. Advance teacher understanding of effective instructional strategies that are:
    - i) Based on scientifically based research (except that this subclause shall not apply to activities carried out under Part D of Title II); and

- ii) Strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers; and
  - h. Are aligned with and directly related to:
    - i) State academic content standards, student academic achievement standards, and assessments; and
    - ii) The curricula and programs tied to the standards described in subclause (a) [except that this subclause shall not apply to activities described in clauses (ii) and (iii) of Section 2123(3)(B)];
  - i. Are developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this Act;
  - j. Are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;
  - k. To the extent appropriate, provide training for teachers and principals in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and core academic subjects in which the teachers teach;
  - l. As a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;
  - m. Provide instruction in methods of teaching children with special needs;
  - n. Include instruction in the use of data and assessments to inform and instruct classroom practice; and
  - o. Include instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents; and
2. May include activities that:
- a. Involve the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;
  - b. Create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under Part A of Title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and

- c. Provide follow-up training to teachers who have participated in activities described in subparagraph (A) or another clause of this subparagraph that is designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom *[Title IX, Part A, Section 9101(34)]*.

#### **PUPIL SERVICES PERSONNEL; PUPIL SERVICES:**

The term “pupil services personnel” means school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in Section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs. The term “pupil services” means the services provided by pupil services personnel. *[Section 9101(36)]*

#### **SCIENTIFICALLY BASED RESEARCH:**

The term “scientifically based research:”

1. Means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and
2. Includes research that--
  - a. Employs systematic, empirical methods that draw on observation or experiment;
  - b. Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
  - c. Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
  - d. Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
  - e. Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and
  - f. Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review *[Title IX, Part A, Section 9101(37)]*.



## APPENDIX B

### Acronyms and Abbreviations

<b>AYP:</b>	Adequate yearly progress
<b>CSR:</b>	Class Size Reduction
<b>The Department :</b>	The U.S. Department of Education
<b>EDGAR :</b>	Education Department General Administrative Regulations
<b>Eisenhower Program:</b>	Eisenhower Professional Development Program
<b>ESEA:</b>	Elementary and Secondary Education Act of 1965
<b>ESL:</b>	English as a second language
<b>FY:</b>	Fiscal year
<b>HEA:</b>	Higher Education Act
<b>IHE:</b>	Institution of higher education
<b>LEA:</b>	Local educational agency
<b>NCLB :</b>	<i>No Child Left Behind</i> , the act that amended ESEA
<b>OMB:</b>	Office of Management and Budget
<b>RFP:</b>	Request for proposal
<b>SAHE:</b>	State agency for higher education
<b>SEA:</b>	State educational agency
<b>Secretary :</b>	Secretary of Education, U.S. Department of Education
<b>Statute:</b>	The Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB Act)





## **APPENDIX C**

### **Scientifically Based Research on Teacher Quality**

#### **Research on Teacher Preparation and Professional Development**

*Grover J. Whitehurst, Ph.D.*

#### **White House Conference on Preparing Tomorrow's Teachers** *March 5, 2002*

My assignment for this conference was to examine and report on research related to the preparation and professional development of teachers. That is a big topic and there are many ways to organize the scholarship and frame the discussion. I decided to focus on research most relevant to policy. I'm using the word *policy* to mean a governmental plan stipulating goals and acceptable procedures for pursuing those goals.

The most recent and impactful statement of government policy on the preparation and professional development of teachers is the reauthorization of the Elementary and Secondary Education Act (ESEA), signed into law by the President on January 8th of this year.

Title I of ESEA addresses the goal of enhancing academic achievement for disadvantaged children. With respect to teachers, it requires that states, beginning this coming school year, must prepare and widely disseminate a report that includes information on the quality of teachers and the percentage of classes being taught by highly qualified teachers in each public school in the state. The framers of this bill defined a "highly qualified teacher" as someone with a bachelor's degree who is licensed to teach on the basis of full state certification or passing the state licensure exam. The bar is raised beyond simple licensure or certification for new teachers: At the elementary school level, a highly qualified new teacher must have passed a test of subject knowledge and teaching skills in reading, writing, mathematics. At the middle and secondary school level, a highly qualified new teacher must have passed a rigorous exam or have the equivalent of an undergraduate major in each of the subjects he or she teaches. A goal of the bill is for disadvantaged students to have equal access to high quality teachers.

While Title I of ESEA approaches the goal of placing highly qualified teachers in the classroom by mandating pre-service credentials, Title II addresses the same goal by funding in-service professional development for teachers. Many forms and functions of professional development are allowed under Title II. One focus is on increasing teachers' knowledge of the academic subjects they teach through intensive, classroom-focused training. Another focus is on obtaining alignment between professional development activities and student academic achievement standards, state assessments, and state and local curricula.

What do these requirements within ESEA suggest with regard to the framers' assumptions about teacher preparation and professional development, and to what degree are those assumptions supported by research?

These are assumptions I've extracted from the ESEA provisions:

1. Teachers matter (otherwise why focus on teachers at all)
2. Teachers vary in their quality (otherwise why distinguish highly qualified teachers from others)
3. Quality is affected by:
  - a. General knowledge and ability (otherwise why require a bachelor's degree)
  - b. Certification and licensure (otherwise why make that a defining feature of being highly qualified)
  - c. Experience (otherwise why distinguish beginning from experienced teachers)
  - d. Subject matter knowledge (otherwise why require that beginning teachers have demonstrated through their college major or an examination that they have knowledge of the subject matter they teach)
  - e. Intensive and focused in-service training (otherwise why provide funds to support such activities)
  - f. Alignment between teacher training and standards-based reforms (otherwise why require evidence of such alignment in state applications for funding)

Before I describe what research tells us about these assumptions, we need to take a brief side trip into the world of methodology. It is typical in science that a given problem is addressed with multiple methods. The individual methods often ask and answer slightly different questions. In the early stages of research on a topic, the inconsistencies and ambiguities that result from different methods can be frustrating. Witness, for example, the recent flurry of conflicting studies and conclusions on the value of mammography in the prevention of breast cancer. However, conflicting studies and interpretations often spur the next round of investigations, and over time the evidence converges and generates consensus.

Research on teacher preparation and professional development is a long way from the stage of converging evidence and professional consensus. Several approaches to studying the topic are used, and like the proverbial blind men examining different parts of an elephant, each generates a different perspective. I will provide some background knowledge on the different methodological tools as I address the principal policy issues.

## **Do teachers matter?**

The answer may seem so obvious that the question isn't worth asking. One reason is that all of us can generate anecdotes about teachers who have made a difference in our lives. I remember my 11th grade English teacher whose interest in my writing and the books I was reading inspired me to think about careers involving words. But however powerful such personal narratives may seem, we need to remember that in science the plural of anecdote is not evidence. Most undergraduates believe in extrasensory perception and will tell stories about experiencing it. That doesn't mean that extrasensory perception is a fact.

### The Coleman study

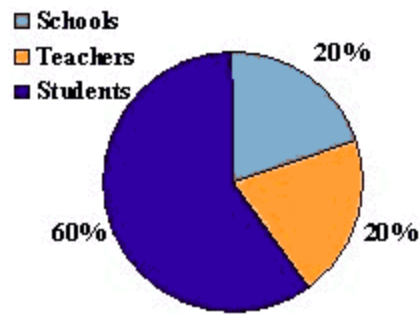
Contrary to our intuitions and anecdotes about the importance of teachers, the landmark 1966 study, *Equality of Educational Opportunity*, by sociologist James Coleman, suggested that differences in teachers did not matter much. This was a huge study employing 60,000 teachers in grade 6 and beyond in over 3,000 schools. The principal finding was that nearly all of the variability in how students achieved was attributable to their socioeconomic background rather than to the schools they attended. On the subject of teacher attributes, Coleman wrote, "A list of variables concerning such matters as teachers' scores on a vocabulary test, their own level of education, their years of experience, showed little relation to achievement of white students, but some for Negroes.... Even so, none of these effects was large."

Coleman's methodology is now understood to have been seriously flawed. All of his analyses were conducted on data that had been aggregated to the school level. For example, the average vocabulary score for all teachers in a school was related to the average test score for all children in a school. Researchers now understand that aggregating data in this way can distort findings. I am reminded of the man who had his head in the oven and his feet in the freezer but whose temperature, on average, was just right. If you average together the effective teachers with the ineffective teachers, and the high performing students with the low performing students, you don't get to see the cold and hot spots where teacher characteristics might make a difference.

### Recent multi-level studies

More recent studies in the tradition of Coleman's work have analyzed multilevel data that goes down to individual classrooms and students. Statistical techniques are used to apportion differences in children's academic achievement among the different environments that are assumed to affect their learning and development. Such studies typically parse out the influence of the individual abilities and knowledge the child brings to the classroom, the classroom itself, and the characteristics of the school in which that classroom is housed. With enough children and teachers and schools, and with some fancy statistics, it is possible to estimate the relative contribution of each of these factors to the differences that are observed among children in academic achievement. These studies generate much higher estimates of the relative influence of teachers and schooling on academic achievement than reported by Coleman.

The pie chart that follows reflects findings from a recent scholarly review of this literature (Scheerens & Bosker, 1997). Roughly 20% of the differences in student achievement is associated with the schools children attend, another 20% is associated with individual classrooms and teachers, and the remaining 60% is associated with differences among the children in each classroom, including the effects of their prior achievement and their socioeconomic background.

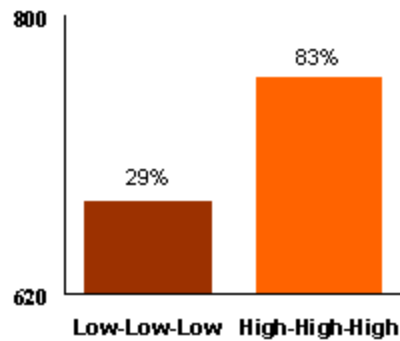


Note two things about these multilevel studies. First, they only are able to indicate the relative contribution of teachers to academic achievement, not the mechanisms by which teachers affect student learning. Thus, we find that teachers are important, by not why. Second, because the data are collected at a single point in time, the influence of teachers may be substantially underestimated. This is because the 60% effect attributable to students in the pie chart includes the effects of instruction in previous grades. Some children in a given class will have had an effective teacher the previous year and some will have had an ineffective teacher. But we can't see these influences if the children are measured only at one point in time. These unmeasured effects of previous teachers get folded into the unexplained differences among children in the same classroom. This increases the estimated influence of children compared to teachers and schools.

#### Value-added studies

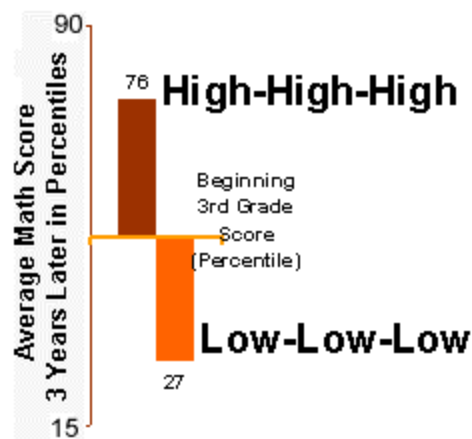
Value-added methods are a new and more powerful way of addressing the question of whether teachers matter. Value-added methods examine students' gains from year to year rather than their scores at a single point in time. Teachers who are adding value to student achievement will be those whose students gain most over the school year. Thus if a math teacher has children who start the year at the 95th percentile and end the year at the 90th percentile, she would not be considered an exemplary teacher even if the performance of her students was the highest in the district. In contrast, a teacher who raised her students' performance from the 45th to the 60th percentile over the course of a year would be deemed very effective even if her children performed below the average in the district. Value-added methods require that children be followed longitudinally, i.e., the same children must be tested each year and identified uniquely in the resulting database.

Sanders and Rivers (1996) used value-added methods to examine the cumulative effects of teacher quality on academic achievement. The effectiveness of all math teachers in grades 3, 4, & 5 in two large metropolitan school districts in Tennessee was estimated by determining the average amount of annual growth of the students in their classrooms. These data were used to identify the most effective (top 20%) and the least effective (bottom 20%) teachers. The progress of children assigned to these low and high performing teachers was tracked over a three-year period. The next figure illustrates the results.



Children assigned to three effective teachers in a row scored at the 83rd percentile in math at the end of 5th grade, while children assigned to three ineffective teachers in a row scored at the 29th percentile.

The next figure illustrates results from an equivalent study on math performance in Dallas (Jordan, Mendro, & Weerasinghe, 1997). The results are very similar.



Understand that these studies overestimate the actual effect of teachers on academic achievement because the assignment of students to teachers from year to year is essentially random, at least in elementary school (Rowan, 2002). The typical child is not lucky enough to get 3 highly effective teachers or unlucky enough to get 3 highly ineffective teachers in a row. However, these studies demonstrate persuasively that the potential effect of teacher quality on academic achievement is quite high.

In summary, we now know that Coleman was wrong: Teachers do matter, as our anecdotal experiences suggest and as Congress assumed when it reauthorized ESEA and authorized \$3 billion annually for teacher training and professional development. Whew!

### Characteristics of effective teachers

Given that teachers are important, the important research task is to identify the characteristics that distinguish quality teachers and to determine how those characteristics can be enhanced. Let's go through the characteristics assumed to be important in ESEA and take a look at the related research.

### Certification and licensure

The issue of certification has generated more heat than light. You would think it would be simple to compare student achievement for certified versus uncertified teachers, but it is not. One reason is that states typically require some form of certification or licensure for a teacher in the public schools within some period of time after the teacher begins employment. Thus teachers without certification are typically inexperienced beginners. That means that simple comparisons of certified versus uncertified teachers are biased by differences in experience and age. Second, the issue of certification is often confused with the issue of alternative certification, which is a route to a teaching license that bypasses some of the undergraduate coursework requirements in education. Sometimes arguments for or against alternative certification are made on the basis of comparisons of teachers with certificates, including alternative certificates, with teachers working with provisional or temporary licenses. Third, the issue of certification is often confused with the issue of out-of-field teaching. Generally, out-of-field teachers, e.g., someone with a degree in English who is teaching math, are certified. Arguments for or against certification based on comparing out-of-field and in-field teaching are thus inappropriate. Fourth, the definitions and requirements for licensure and certification differ substantially from state to state, and sometimes within jurisdictions within the same state. These differences make it difficult to know exactly what is being compared when data are aggregated across states and jurisdictions.

With those caveats in mind, my reading of the research is that the evidence for the value of certification in general is equivocal at best. For example, Goldhaber and Brewer (1998) analyzed data from over 18,000 10th graders who participated in the National Education Longitudinal Study of 1988. After adjusting for students' achievement scores in 8th grade, teacher certification in 10th grade was not significantly related to test scores in 10th grade. In another study, notable because it uses experimental logic rather than the correlational approaches that dominate study of this topic, Miller, McKenna, and McKenna (1998) matched 41 alternatively trained teachers with 41 traditionally trained teachers in the same school. There were no significant differences in student achievement across the classrooms of the two groups of teachers.

A study by Darling-Hammond (1999) stands in contrast to the many studies that find no effects or very small effects for teacher certification. She related scores on the National Assessment of Educational Progress at the state level to the percentage of well-qualified teachers in each state. "Well qualified" was defined as a teacher who was fully certified and held the equivalent of a major in the field being taught. For generalist elementary teachers, the major had to be in elementary education; for elementary specialists, the major had to be in content areas such as reading, mathematics, or special education. Darling-Hammond reported that teacher qualifications accounted for approximately 40 to 60 percent of the variance across states in average student achievement levels on the NAEP 4th and 8th grade reading and mathematics assessment, after taking into account student poverty and language background.

Although this study is frequently cited, the approach of aggregating data at the level of the state is seriously problematic. It goes backwards in terms of aggregation from the work of Coleman whose findings are considered suspect because the analyses were of data at the school level. Students do not experience a teacher with the average level of certification in a state; they experience a teacher who is or is not certified. The aggregation bias may account for Darling-Hammond's estimates of the effects of certification being light years out of the range of effects that have been reported by all other studies of this topic.

### Subject matter knowledge

The effects of teacher training on academic achievement become clearer when the focus becomes subject matter knowledge as opposed to certification per se. The research is generally consistent in indicating that high school math and science teachers with a major in their field of instruction have higher achieving students than teachers who are teaching out-of-field (e.g., Brewer & Goldhaber, 2000; Monk, 1994; Monk & King, 1994; Rowan, Chiang, & Miller, 1997). These effects become stronger in advanced math and science courses in which the teacher's content knowledge is presumably more critical (Monk, 1994; Chiang, 1996).

The best studies, including the ones cited here, control for students' prior achievement and socioeconomic status. Studies that simply report the association between teachers' undergraduate majors and student achievement are difficult to interpret. For instance the year 2000 National Assessment of Educational Progress in math reports that eighth-graders whose teachers majored in mathematics or mathematics education scored higher, on average, than 8th graders whose teachers did not major in these fields. However, there are many interpretations of this simple association, including a well-documented rich-get-richer process in which students with higher math abilities are assigned to classes taught by better-trained teachers.

Interestingly, the 2000 NAEP finds no relationship between math scores at 4th grade and teachers' major. Likewise, Rowan (2002) using a different dataset found no relationship in elementary school between certification in math and student achievement in math, and no relationship between having a degree in English and student achievement in reading. These findings suggest that subject matter knowledge in these areas as currently transmitted to teachers-in-training by colleges of education is not useful in the elementary school classroom.

### General knowledge and ability

The most robust finding in the research literature is the effect of teacher verbal and cognitive ability on student achievement. Every study that has included a valid measure of teacher verbal or cognitive ability has found that it accounts for more variance in student achievement than any other measured characteristic of teachers (e.g., Greenwald, Hedges, & Lane, 1996; Ferguson & Ladd, 1996; Kain & Singleton, 1996; Ehrenberg & Brewer, 1994).

This is troubling when joined with the finding that college students majoring in education have lower SAT and ACT scores than students majoring in the arts and sciences. For example, among college graduates who majored in education, 14% had SAT or ACT scores in the top quartile, compared to 26% who majored in the social sciences, compared to 37% who majored in mathematics/computer science/natural science. In addition, those who did not prepare to teach but became teachers were much more likely to have scored in the top quartile (35 percent) than those who prepared to teach and became teachers (14 percent) (NCES, 2001).

### Experience

In general, studies of the effects of teacher experience on student achievement suggest a positive effect. For instance, Rowan (2002) found a significant effect of teaching experience on reading and math outcomes in elementary school, with larger effects for later elementary school than early elementary school. Likewise, Greenwald, Hedges, and Laine (1996), in their large meta-analysis of the literature on school resources and student achievement, found significant effects of teacher experience.

### Masters' degrees

Many districts and states provide incentives for teachers to return to the classroom to obtain advanced degrees in education. The bulk of evidence on this policy is that there are no differential gains across classes taught by teachers with a Masters' degree or other advanced degree in education compared to classes taught by teachers who lack such degrees.

### Intensive and focused in-service training

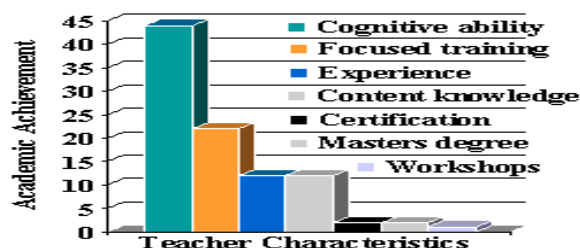
Although the literature on professional development is voluminous, there are only a few high quality studies relating teacher professional development experiences to student outcomes. Recommendations for "high quality" professional development tend to emphasize the importance of more intense, content-focused experiences (i.e., not one-day generic workshops), as well as more opportunities for peer collaboration and more structured induction experiences for new teachers. These recommendations are reasonable, but are supported by little more than anecdotal evidence, inferences based on theories of learning, and survey data indicating that teachers feel they get more from such experiences than from typical workshops.

One relatively strong study supporting the value of focused professional development is by Cohen and Hill (2000). These investigators compared the effects of teacher participation in professional development specifically targeted to a mathematics education reform initiative in California compared to teacher participation in special topics and issues workshops that were not linked to the content of the mathematics initiative (e.g., workshops in techniques for cooperative learning). The more time teachers spent in targeted training on the framework and curriculum of the mathematics reform, the more their classroom practice changed in ways that were consistent with the mathematics reform, and the more they learned about the content and standards for that reform. Teachers who participated in special topics and issues workshops showed no change in their classroom practice or knowledge related to the reform. Teachers who participated in the focused training and whose classroom practice moved towards incorporating the framework of the new math initiative had students who scored higher on a test of the math concepts imparted by the new curriculum.

This study and a couple of others (Wiley and Yoon, 1995; Brown, Smith, and Stein, 1996; and Kennedy, 1998) suggest that when professional development is focused on academic content and curriculum that is aligned with standards-based reform, teaching practice and student achievement are likely to improve.

### Summary of the effects of teacher characteristics on student achievement

The figure that follows attempts to summarize the relative strength of each of the dimensions of teacher quality I have reviewed. The heights of the bars in the graph should not be taken as exact or specific to any particular research study. Rather they are intended simply to summarize graphically the conclusions I have drawn in the preceding narrative.



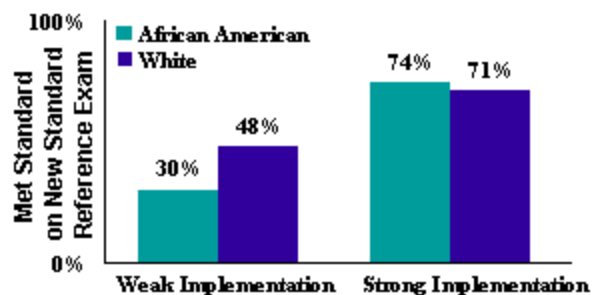


## Main effects

All of the research reviewed to this point is correlational in nature and focuses on differences across teachers. The history of this line of research flows from attempts to demonstrate that teachers and classrooms make a difference, to determining how much of a difference they make, to trying to identify characteristics of teachers that contribute to those differences. Within psychology, this is called differential psychology or the study of individual differences.

There is another tradition within psychology that is relevant to attempts to improve teacher quality. That is the experimental tradition. It looks not for individual differences among teachers but for interventions that raise the effectiveness of all teachers. These are called main effects. Unfortunately experimental methods have not yet found their way to research on teacher training. Even so there are data of a weaker nature that suggest experiences and policies that can produce main effects, i.e., can raise the performance of all teachers and through them the achievement of all students. These data demonstrate the effects of the contexts in which teachers work. There are many dimensions to the context of teaching. Here I focus on the components of standards-based educational reform that are embodied in the ESEA reauthorization and the ongoing practice of many states. These components are: 1) learning standards for each academic subject for each grade, 2) assessments that are aligned to those standards, and 3) provisions for holding educators accountable for student learning. For standards-based reform to work there is reason to think that two additional components are necessary: 1) teachers must be provided with curriculum that is aligned with the standards and assessments; and 2) teachers must have professional development to deliver that curriculum.

We can see the effect of curriculum in the next figure. Three schools in Pittsburgh that were weak implementers of a standards-based math curriculum were compared with three schools with similar demographics that were strong implementers. Note that racial differences were eliminated in the strong implementation schools, and that performance soared. There is no reason to believe that any of the individual differences in teachers previously described, such as cognitive ability or education, differed among the weak implementation schools versus the strong implementation schools. Yet the teachers in the strong implementation schools were dramatically more effective than teachers in the weak implementation schools. Thus a main effect of curriculum implementation swamped the effects of individual differences in background among teachers.



We see this effect on a larger scale in a database developed by the American Institutes of Research under contract to the U.S. Department of Education. The database includes academic

achievement data and demographic data on each school in 48 different states that have their own assessment systems. The Education Trust has analyzed the data to ask the question of how many high-poverty and high-minority schools have high student performance. They have identified 4,577 high-flying schools nationwide that are in the top third of poverty in their state and also in the top third of academic performance. Whatever these schools are doing to perform so well, and we need to understand that better than we do now, it is very unlikely that they have teachers who are dramatically different from teachers in less effective schools on the individual differences previously surveyed. Again, there is a main effect, something going on in the school as a whole that affects the practice of all teachers in the school, and raises student achievement accordingly.

The next table examines main effects at a higher level, in this case for states. Here we see 4th grade math gains on the National Assessment of Educational Progress for African Americans between 1992 and 1996 for the United States as a whole and for four states (Massachusetts, Texas, and Michigan) that beat the national increase by a substantial margin.

United States: + 8  
 Massachusetts: +14  
 Texas: + 13  
 Michigan: + 13

The next figure continues this same theme by demonstrating how North Carolina outpaced the United States as a whole in gains in 4th grade reading between 1992 and 1998.

	United States	North Carolina
Overall	0	+5
African American	+1	+6
Latino	-4	+4
White	+2	+6

Again, something is going on that generates better performance from all teachers regardless of the individual differences in education and cognitive abilities they bring to the classroom.

### Putting it all together

Summarizing the material reviewed, we see that teachers matter and differ in effectiveness. The most important influence on individual differences in teacher effectiveness is teachers' general cognitive ability, followed by experience and content knowledge. Masters' degrees and accumulation of college credits have little effect, while specific coursework in the material to be taught is useful, particularly in more advanced subjects. Specific, curriculum-focused and reform-centered professional development appears to be important to effective instruction. Context studies tell us that all teachers can do a better job when supported by good curriculum, good schools, and good state policy. With the exception of the role of certification, these research findings align well with the provisions of ESEA.

There is an irony in demonstrating that teachers are important by showing that students' academic achievement is dependent on the teachers they are assigned. In other fields, substantially variation in performance among professionals delivering the same service is seen as a problem to be fixed. For example, we would not tolerate a system in which airline pilots varied

appreciably in their ability to accomplish their tasks successfully, for who would want to be a passenger on the plane with the pilot who is at the 10th percentile on safe landings. Yet the American system of public education is built on what Richard Elmore has called the ethic of atomized teaching: autonomous teachers who close the doors to their classrooms and teach what they wish as they wish. The graphs from the value-added studies tell us what happens when a child has the back luck to be assigned to a teacher whose approach doesn't work. Variation in teacher effectiveness needs to be reduced substantially if our schools are going to perform at high levels.

There are three routes to that goal suggested by the research I have reviewed. First we can be substantially more selective in the cognitive abilities that are required for entry into the teaching profession. Second, we can provide pre-service and in-service training that is more focused on the content that teachers will be delivering and the curriculum they will be using. Third, we can provide a much better context for teachers to do their work. One important context is in the form of systems that link and align standards, curricula, assessment, and accountability. These policy directions are not conceptually incompatible, but each requires resources. We need better research to inform policy makers on the costs and benefits of each approach.

We are at the beginning of an exciting new period in teaching, one in which previous assumptions and ways of doing business will be questioned. As we build a solid research base on this topic, one that is more specific and experimental than we have currently, we should be much better able to provide effective instruction for all children. My hope and expectation is that when my sons have children in school they will not have to experience the anxieties nor engage in the machinations my wife and I went through each year as we tried to get our children assigned to what we believed were the best teachers in the next grade. Individual differences in teachers will never go away, but powerful instructional systems and new, effective forms of professional development should reduce those differences to the point that every teacher should be good enough so that no child is left behind.



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## APPENDIX D

### IMPACT OF VARIOUS FLEXIBILITY PROVISIONS ON THE TITLE II, PART A PROGRAM

In general, flexibility provisions, which are described in greater detail on the Department's website at <http://www.ed.gov/offices/OESE/esea/index.html>, affect the Title II, Part A program as follows:

- **State-Flex (ESEA Sections 6141 through 6144)**

An SEA with State-Flex authority may consolidate Title II, Part A funds that are available for State-level activities and State administration with certain other State-level funds, and use those funds for any ESEA purpose in order to make AYP and advance the educational priorities of the State and the LEAs with which the State enters into performance agreements.

Similarly, an LEA that enters into a performance agreement with its SEA in a State-Flex State may consolidate Title II, Part A formula funds with certain other Federal funds, and use those funds for any ESEA purpose consistent with the SEA's State-Flex plan in order to meet the State's definition of AYP, improve student academic achievement, and narrow achievement gaps.

- **Local-Flex (ESEA Sections 6151 through 6156)**

An LEA that enters into a Local-Flex agreement with the Secretary may consolidate Title II, Part A formula grant funds with certain other Federal funds and, consistent with the purposes of the Local-Flex program, use those funds for any ESEA purpose in order to meet the State's definition of adequate yearly progress, improve student academic achievement, and narrow achievement gaps.

- **Transferability (ESEA Sections 6121 through 6123)**

Under this flexibility authority, an SEA may transfer up to 50 percent of the non-administrative funds that it receives under certain Federal programs (including *Improving Teacher Quality State Grants*) to other specified programs that address more effectively its unique needs. This authority allows a portion of an SEA's State-level non-administrative funds to be transferred into or out of the Title II, Part A funds.

Likewise, an LEA (except an LEA identified for improvement or subject to corrective action under Section 1116(c)(9)) may transfer up to 50 percent of the funds allocated to it *by formula* under certain other programs to Title II, Part A allocation (or to other specified allocations) or to its allocation under Part A of Title I. An LEA may also transfer up to 50 percent of its Title II, Part A funds to certain other programs. There are special transferability rules governing LEAs identified for improvement under Section 1116(c) or subject to corrective action under Section 1116(c)(9). An LEA identified for

improvement under Section 1116(c) may transfer not more than 30 percent of the funds allocated to it for a fiscal year.

- **Rural Education Initiatives (ESEA Sections 6201 through 6234)**

Under the Title VI Rural Education Alternative Uses of Funds Authority, an eligible LEA may combine its Title II, Part A funds with certain other Federal funds and use the applicable funding to carry out local activities under one or more specified Federal programs. The Title II, Part A program is one of the programs for which an LEA may spend all or part of its “applicable funding” as defined in Section 6211(c) of the ESEA.

An eligible LEA may use funds under the Small, Rural School Achievement program to carry out activities under a number of Federal programs, including Title II, Part A.

Similarly, an LEA that receives funds under the Rural and Low-Income School program may use those funds for activities authorized under the Title II, Part A program and for other purposes.

- **Ed-Flex (as revised by ESEA Section 1073)**

Consistent with the provisions of the Ed-Flex legislation, an Ed-Flex State may waive requirements of the Title II, Part A program that, in particular circumstances, may impede the ability of LEAs or schools to carry out educational reforms and raise the achievement levels of all students.

- **Consolidation of State and local administrative funds (ESEA Sections 9201 and 9203)**

An SEA may consolidate funds made available to it for State administration under the Title II, Part A program and other ESEA programs, as well as other programs that the Secretary may designate, if the SEA can demonstrate that the majority of its resources are derived from non-Federal sources. The consolidated administrative funds may be used to administer the programs included in the consolidation and for administrative activities designed to enhance the effective and coordinated use of funds under those programs.

Similarly, with approval of its SEA, an LEA may consolidate Title II, Part A funds available for administration, as well as other local administrative funds, to administer the programs included in the consolidation and for uses, at the district and school levels, designed to enhance the effective and coordinated use of funds under those programs.

- **Consolidated applications (ESEA Sections 9301 through 9306)**

An SEA may seek Title II, Part A funding as part of a consolidated State application. Similarly, an LEA may seek Title II, Part A funding as part of a consolidated local application. An SEA must allow an LEA to submit a consolidated application.



- **Schoolwide programs (ESEA Section 1114)**

Consistent with the requirements of Section 1114 of Title I, an LEA may consolidate and use funds under Part A of Title I and other programs that the Secretary may designate to implement a schoolwide program in a school in which at least 40 percent of the children are from low-income families.



## APPENDIX E

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## APPENDIX F

### Title II: SUMMARY

#### Preparing, Training and Recruiting High Quality Teachers and Principals

Title II of the ESEA makes funds available to States and other entities under a variety of programs that will assist them in developing and supporting a high-quality teaching force and thereby improving student academic achievement. The Title II programs include:

##### Title II, Part A– Teacher and Principal Training and Recruiting Fund

This is a new *State formula grant program*, that combines the Eisenhower Professional Development State Grants and the Class-Size Reduction programs into one program. This program focuses on preparing, training, and recruiting high-quality teachers and principals.

Subpart 5 – The National Teacher Recruitment Campaign program is authorized to establish and carry out a national teacher recruitment campaign, which may include activities carried out through the National Teacher Recruitment Clearinghouse. The purpose is to assist high-need local educational agencies in recruiting and training teachers, and to conduct a national public service campaign concerning the resources for, and the routes to, entering the field of teaching.

##### Title II, Part B – Mathematics and Science Partnerships

This new program authorizes competitive three-year grants to partnerships for activities to improve the academic achievement of students in the areas of mathematics and science. [Section 2201]

##### Title II, Part C – Innovation for Teacher Quality

###### Subpart 1

Chapter A – This program, the *Troops-to-Teachers*, authorizes funding to State educational agencies, institutions of higher education, or consortia of these entities to develop, implement and demonstrate innovative certification programs for members of the Armed Forces. This program is administered by the Department of Defense, Defense Activities for Non-Traditional Education Support (DANTES).

Chapter B – This program, *Transition to Teaching*, authorizes competitive 5-year grants to partnerships and eligible entities to establish programs to recruit highly

qualified mid-career professionals and recent college graduates to teach in high-need schools.

#### Subpart 2 –

This program authorizes a grant to the *National Writing Project*, a nonprofit organization that contracts with institutions of higher education and nonprofit education providers to operate programs that train classroom teachers to teach writing more effectively.

#### Subpart 3

This program authorizes grants to improve the quality of *civics and government* education for students, to foster civic competence and responsibility, and to improve civic and economic education in emerging democracies through cooperative exchange programs.

#### Subpart 4

This program authorizes a discretionary grant program for LEAs to promote the teaching of *American History* in elementary and secondary schools as a separate academic subject.

#### Subpart 5

*Teacher Liability Protection* limits the financial liability of teachers for harm caused by an act or omission of the teacher on behalf of the school.

### **Title II, Part D Enhancing Education Through Technology**

#### Subpart 1

The *State and Local Technology Grants* program consolidates the former Technology Literacy Challenge Fund and Technology Innovation Challenge Grants programs into a single State formula grant program to support the integration of educational technology to classrooms, with the goal of improving both teaching and learning.

#### Subpart 2

*National Technology Activities* – The Department will update and publish, in a form readily accessible to the public, a national long-range technology plan, not later than 12 months after the date of enactment of the No Child Left Behind Act of 2001.

### Subpart 3

The *Ready-to Learn Television* programs support the development and distribution of educational videos and materials to preschool children, elementary school children, and their parents.





## APPENDIX G

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